



# **CITY COUNCIL**

## **Meeting Agenda**

**REGULAR MEETING  
COUNCIL CHAMBERS**

**MON, AUGUST 25, 2008  
7:00P.M.**

### **OPENING MATTERS**

**CALL TO ORDER**

**INVOCATION:** Father John Francis, Christ Episcopal Church

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

### **PUBLIC COMMENT – AGENDA MATTERS:**

*Citizens have the opportunity to address the Council, by registering with the City Clerk before the start of the meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or who shall become unruly while addressing Council may be called to order by the Presiding Officer, and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.*

*All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be distributed to Council must be given to the City Clerk before the meeting is called to order.*

*Those commenting on agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes. No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's presentation. Citizens may not ask questions of Council members or other elected or public officials in attendance.*

## **APPROVAL OF AGENDA AND MINUTES**

**AGENDA:** Council Meeting of August 25, 2008

**MINUTES:** Council Meeting of August 11, 2008

### **Consent Agenda Legislation**

**Resolution** - To amend the FFY2008 one year Action and the FFY2004 to FFY2008 five year Consolidated Plan to provide an additional \$170,000 in un-programmed CDBG funds for renovations to Hillside Playground. The new CDBG funding total will be \$285,000 (**Community Development**)

**Award of Contract** - Awarding of Contract for the design of a new Police Firing Range for the Reading Police Department to W2A Design Group, 609 Hamilton Street, Allentown, PA 18101 (**Purchasing**)

**Award of Contract** - Awarding of Contract for improvements to the Hillside Playground for the Departments of Public Works and Community Development to Bertolet Construction Corporation, 100 South Church Road, Wernersville, PA 19565, at a total submitted bid price of \$318,864.00 for various improvements to the Hillside Playground (**Purchasing**)

## **ADMINISTRATIVE REPORTS**

### **REPORT FROM OFFICE OF THE AUDITOR**

### **REPORTS FROM DIRECTORS & BOARDS AUTHORITIES AND COMMISSIONS**

## **ORDINANCES FOR FINAL PASSAGE**

**Ordinance** - Amending The City Of Reading Zoning Ordinance Per Exhibit "A," To Create, Add And Define The Use Of Student Home As A Conditional Use And Requirements Therefor In The City Of Reading R-1a (Residential), R-1 (Residential) And R-2 (Residential) Zoning Districts And As A Permitted Use In R-3 (Residential) City of Reading Zoning Districts (**Public Safety Committee & Law Department**)  
*Introduced at the July 14 meeting; Public Hearing held Wed, Aug 20<sup>th</sup> at 5 p.m. in Council Chambers*

**Bill No. 49-2008** – Storm Water Management (Public Works/Solicitor)  
*Introduced at the July 14 meeting; Tabled at the July 28 meeting due to lack of map; map attached*

**Pending**  
**Advertisement and Public Hearing Required by MPC**  
**Notice of Pending Ordinance Doctrine**

**Ordinance** – amending the Zoning Ordinance by prohibiting rental uses in the R-1, R-1A and R-2 Zoning Districts (**Councilor Marmarou & Council Staff**) *Introduced at the March 24 regular meeting of Council*

**Ordinance** - to amend the City of Reading Zoning Ordinance by amending the definition of Life Care Retirement Facility and Nursing Home, to provide for the use of Life Care Retirement Facility and Nursing Home as a Special Exception and requirements therefore in the City of Reading R-2 (Residential), R-3 (Residential) and C-R (Commercial Residential) zoning districts and correcting the requirements of Residential Care Facility as a Conditional Use (**Law Department**) *Introduced at the August 20 special meeting; pending public hearing*

**Pending – Further Review Required**

**Bill No. 26-2008** - amending the Codified Ordinances of the City of Reading, Chapter 1 – Section 1-186, 3, G, by adding a new (3) requiring Council approval for all expenditures, transfers and/or allocations from and/or to any and all Agency Funds and any and all line-items located in the Departmental: Non Departmental area of the General Fund (**Council Pres. Spencer- Council Staff**) *Introduced at the February 25 regular meeting; Tabled at the March 10 regular meeting; referred to the Finance Committee for review; Discussed at 4-7 Finance Committee; Tabled at the 4/14/08 Regular Meeting*

**Ordinance** - amending the FY 2006-2012 capital improvement plan for the City of Reading (**Finance Department**) *Introduced at the June 23 regular meeting; Referred to the Finance & Public Works Committees; Referred to the 9-2 Public Safety Committee*

**Bill No. 43-2008** - amending the Housing Permit Ordinance by reducing the number of Disruptive Conduct Reports needed for the eviction of the tenant(s) to two and increasing the appeal fee from \$50 to \$75 (**Council Public Safety Committee**) *Introduced at the May 12 regular meeting; Tabled at the May 27 regular meeting; Reintroduced at the July 28 regular meeting; review by HUD required*

**Ordinance** - Amending The City Of Reading Code Of Ordinances Chapter 6, Part 7, School Time Curfew, To Add A New Section Pertaining To Prohibited Conduct Of Juveniles On School Days As Attached In Exhibit A **(Police Dept)** *Introduced at the August 11 regular meeting; referred to the 9-2 Public Safety Committee*

## INTRODUCTION OF NEW ORDINANCES

**Ordinance** – Amending the City of Reading Codified Ordinances, Chapter 7 Housing which will amend the time for inspection from 3 years to not less than 3 and not more than 5 years throughout the ordinance as referred to as Renewal Inspection; removes the word points from the ordinance and replaces it with violations; and amends the required Addendum to Rental Agreement to remove limitation of no more than 5 persons in rooms or common areas It is amended to refer to limit to habitable space per applicable Ordinances **(Law Dept)**

**Ordinance** - An Ordinance Creating A Committee To Assist, Guide And Participate In The Amending, Revising And Rewriting Of The City Of Reading Zoning Ordinance, Subdivision And Land Development Ordinance (Saldo) And Official Map **(Law Dept)**

## RESOLUTIONS

**Resolution** – appointing Alicia Snead to the Human Relations Commission **(Admin Oversight)**

**Resolution** – upholding the decision of HARB to deny a certificate of Appropriateness for the installation of ceramic tile on the porch floor of 1050 North 5<sup>th</sup> St.

**Resolution** – awarding the construction and project manager contract to Hill International/Weston Solutions/ Hazen Sawyer at a not to exceed price of \$7,825,075 for services at the City's Wastewater Treatment Plant and also authorizing the issuance of an Advance Notice to Proceed to allow work to begin while the final contract is being assembled and executed. *(Initiated through Citizen Petition submitted Monday August 18, 2008)*

## PUBLIC COMMENT - GENERAL MATTERS

## COUNCIL BUSINESS / COMMENTS

## **COUNCIL MEETING SCHEDULE**

### **Monday, August 25<sup>th</sup>**

*Meeting with the Mayor – Mayor's Office at 4 pm*

*Committee of the Whole – Council Office at 5 pm*

*Regular Meeting – Council Chambers at 7 pm*

### **Monday, September 1<sup>st</sup>**

*Labor Day holiday – City Hall closed*

### **\*\*Tuesday, September 2<sup>nd</sup>**

*Public Safety Committee – Council Office at 5 pm*

*Finance Committee – Council Office at 5 pm*

### **Monday, September 8<sup>th</sup>**

*Meeting with the Mayor – Mayor's Office at 4 pm*

*Committee of the Whole – Council Office at 5 pm*

*Regular Meeting – Council Chambers at 7 pm*

## **BAC AND COMMUNITY GROUP MEETING SCHEDULE**

### **Monday, August 25**

DID Authority – Reading Eagle 3<sup>rd</sup> Floor Conference Room – noon

BARTA – BARTA Office – 3 pm

Northwest Neighborhood Assn – Wesley United Methodist Church – 6:30 pm

Charter Board – Penn Room – 7 pm

Penn's Commons Neighborhood Group – Penn Commons Meeting Room – 7 pm

### **Tuesday, August 26**

Housing Authority Workshop – WC Building – 4 pm

Housing Authority – WC Building – 5 pm

Human Relations Commission – Penn Room – 5 pm

Library Area Neighborhood Assn – Unitarian Church – 6:30 pm

District 7 Crime Watch – Holy Spirit Church – 7 pm

### **Wednesday, August 27**

Parking Authority – Parking Authority Office – 5 pm

District 6 Crime Watch – 13<sup>th</sup> & Green Elementary School – 6:30 pm

Outlet Area Neighborhood – St. Mark's Lutheran Church – 6:30 pm

18<sup>th</sup> & Cotton Community Crime Watch – St. Matthew's UM Church – 7 pm  
Northeast Crime Watch – Northeast Library – 7 pm  
Stadium Commission – Stadium RBI Room – 7:30 pm

**Thursday, August 28**

Water Authority – Penn Room – 4 pm

**Monday, September 1**

Centre Park Artifacts Bank – 705 N 5<sup>th</sup> St – noon  
Shade Tree Commission – Planning Conference Room – 6 pm  
Wyomissing Park Property Owner's Assn – Member's homes – 6:30 pm

**Wednesday, September 3**

Reading Elderly Housing Crime Watch – Front & Washington Sts – 2:30 pm  
Board of Health – Penn Room – 6 pm  
District 2 Crime Watch – St. Paul's Lutheran Church – 6:30 pm

**Thursday, September 4**

Police Civil Service Board – Penn Room – noon  
Glenside Community Council – Christ Lutheran Church – 6:30 pm  
District 3 Crime Watch – Calvary Baptist Church – 7 pm  
Legislative Aide Committee – Penn Room – 7:30 pm

**Monday, September 8**

Fire Civil Service Board – Penn Room – 4 pm  
6<sup>th</sup> & Amity Neighborhood & Playground Assn – 6<sup>th</sup> & Amity Fieldhouse – 6:30 pm  
Charter Board – Penn Room – 7 pm

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## City of Reading City Council

### Regular Meeting Monday, August 11, 2008

A regular meeting of City Council was held on the above date for the transaction of general business.

Council President Spencer called the meeting to order.

The invocation was given by Reverend Fred Opalinski of Trinity Lutheran Church.

All present pledged allegiance to the flag.

#### **ATTENDANCE**

Council President Spencer

Councilor S. Fuhs, District 1

Councilor M. Goodman-Hinnershitz, District 2

Councilor D. Sterner, District 3

Councilor S. Marmarou, District 4

Councilor M. Baez, District 5

Councilor J. Waltman, District 6

Mayor T. McMahon

Acting Managing Director R. Hottenstein

Public Works Director C. Jones

City Solicitor C. Younger

City Auditor D. Cituk

City Clerk L. Kelleher

Sergeant at Arms, Lt. R. Shaeffer

## **PROCLAMATIONS AND PRESENTATIONS**

Trinity Lutheran Church Scholarships were issued by Pastor Fred Opalinski and Mayor McMahon to the following:

- Emily Becker – City Employee – 3<sup>rd</sup> & Spruce Recreation Department
- Megan Shobe – City Employee – 3<sup>rd</sup> & Spruce Recreation Department
- Cody Schreiner – Son of Police Officer Richard Schreiner
- Jasmine Lockhart – Daughter of Deputy Police Chief Mark Talbot

## **PUBLIC COMMENT**

Council President Spencer announced that there are nine citizens registered to address Council on non-agenda topics. He inquired if any Councilors objected to suspending the rule requiring persons speaking on non-agenda topics to speak at the end of the meeting. As no one objected this rule was suspended. Council President reminded those speaking of the rules requiring comment on non-agenda items to be limited to three minutes.

**Crystal Pearson** – of North 12<sup>th</sup> Street, noted the terrifying experience of her daughter being struck by a fallen tree branch during a walk. She noted the need for the City to require homeowners to maintain trees in the public right of way. She noted the public hazards associated with over grown trees.

**Antonia Panohaya** – of Spring Street, stated that she bought 1213 Green Street at a Sheriff Sale and described her problems with paying the back water charges.

**Dale Gresh** – of North 11<sup>th</sup> Street, was not present

**Dennis McDonough** – of Oak Lane, requested that Council allow him to transfer his 3 minute comment time to Dr. John Stelmach registered to speak next.



**Dr. John Stelmach** – of Alsace Road, explained that Diakon sold the Caum Home two years ago to David Leeland, who intended to use the property as a bed and breakfast. Sometime after Mr. Leeland purchased the property he decided not to move forward with the bed and breakfast and remarketed the property. An assisted living facility for senior citizens was in line to purchase the property; however, the deal fell through and it was recently discovered that the Caum Home was sold to the Orange Stone Rehab Facility on Friday, August 8<sup>th</sup>. Dr. Stelmach noted this use is not permitted in an R1 zoning district and noted the adverse quality of life problems this facility would bring to this stable residential neighborhood. He requested the City provide assistance that will help this neighborhood retain its stability and tranquility.

**Leon McDevitt Jr.** – of Shillington, expressed the belief that the Administration should comply with the Charter Board's order and require the Codes Manager to reside in the City of Reading. He also expressed his belief that the Giannasca Development proposal is nothing but a con job. He also expressed his agreement with the guilty verdict for Cletus Rivera who murdered police officer Scott Wertz in 2006.

**Dan Staverosky** – of Clymer Street, expressed the belief that the Reading Fire Department's attack on the fire at the Clymer Mansion was disorganized.

**Cindy Olanin** – of Oley Street, noted the Reading Police Department's improvement in assisting victims of crime but questioned the excuses given by Police Personnel when responding to calls for service. She noted the need for the Reading Police Department to increase their support for Reading citizens who call in crimes and quality of life problems to the desk sergeant area.

**Kevin Miller** – of Green Street, noted the upspring in vandalism to personal property in the Hillside neighborhood. He asked the police to provide additional patrol and to enforce quality of life problems to deter the activities of gangs and unruly teens.

## **THE AGENDA AND THE MINUTES**

Council President Spencer called Council's attention to the minutes from the July 28<sup>th</sup> meeting and the agenda, including items under the Consent Agenda heading. He stated that the Resolution to appoint Daniel Cedeno to the Police Department is being withdrawn as the appointment was already handled through the adoption of a Resolution 72-2008 at the July 14<sup>th</sup> regular Meeting of Council.

Councilor Waltman moved, seconded by Councilor Goodman-Hinnershitz, to amend the agenda to add the award of contract resolution to hire a project and construction manager for the Waste Water Treatment Plant Project.

The motion to amend the agenda to add the award of contract for the project and construction manager was not adopted due to the lack of super majority support.

Yeas – Baez, Goodman-Hinnershitz, Sterner, Waltman – 4

Nays – Fuhs, Marmarou, Spencer President – 3

Councilor Marmarou moved, seconded by Councilor Fuhs, to adopt the agenda, the items listed under the consent agenda heading, and the minutes from the July 28<sup>th</sup> Regular Meeting of Council.

The motion was approved unanimously.

### **Consent Agenda Legislation**

**Resolution** – to amend the FFY2008 one year Action and the FFY2004 to FFY2008 five year Consolidated Plan to provide \$230,000 in un-programmed CDBG funds for renovations to Baer Park (**Community Development**)

**Award of Contract** – to American Rock Salt Co., LLC, P. O. Box 190, Mt. Morris, NY, 14510, at a bid price of \$62.23 per ton for delivered salt and \$60.00 for picked-up salt for the Department of Public Works (**Purchasing**)

### **ADMINISTRATIVE REPORT**

Mayor McMahon read the report distributed to Council at the meeting covering the following:

- The opening of the IMAX and Reading Movies 11 on Friday, August 8<sup>th</sup>.
- Governor Rendell's announcement to allocate \$12 million for construction of the Doubletree Hotel and parking deck at 7<sup>th</sup> 7 Penn Streets at \$1.25 million to the Goggle Apartment Projects.
- Recap of the Pagoda birthday celebration occurring on the weekend of August 8<sup>th</sup>.

Councilor Fuhs inquired about the Mayor's Plan to reinstate the funding of Public Art projects. Mayor McMahon noted his intent to reinstitute a Public Art Task Force to oversee and encourage public art. He stated that the Administration is currently considering regulations to require a contribution for development projects over a certain threshold (to be decided later). He also noted the ability of people to make donations to the Public Arts Fund.

Councilor Fuhs inquired if the City itself would be financially supporting the Public Art Task Force. Mayor McMahon stated that City would not be making allocations for Public Art. He noted the need for the Public Art Task Force to actively seek out public input for art projects. He reminded all that the Fine Arts Board was abolished by the Redevelopment Authority without obtaining advice or direction from the Administration. He stated that the Fine Arts Board worked to install several murals and abstract Public Art sculptures such as the installation of River Speaks in front of the building at the Northeast corner of 2<sup>nd</sup> and Penn. He noted that public art raises property value and makes the City more attractive.

Councilor Fuhs expressed the belief that after considering Edward Giannasca's history the City should break all ties and stop negotiations for the Master

Developer Agreement for the Riverview Project. He expressed the belief that this is not the type development company the City should do business with.

Councilor Goodman–Hinnershitz noted the massive contribution of the IBEW and several City businesses that assisted with the Pagoda Birthday celebration.

Councilor Waltman expressed his agreement with the importance of Public Art. He also urged the administration to apply stronger enforcement in the City's historic districts.

### **AUDITORS REPORT**

City Auditor Dave Cituk read the report distributed to Council covering the following

- 2008 Cable franchise fees
- 2008 Real estate transfer tax
- recalculation of municipal sewer rate

### **ORDINANCES FOR FINAL PASSAGE**

**Bill No. 49–2008 – Storm Water Management (Public Works/Solicitor)**

*Introduced at the July 14 meeting*

Councilor Sterner moved, seconded by Councilor Goodman–Hinnershitz, to table Bill 49–2008.

Bill 49–2008 was tabled by the following vote:

**Yeas – Baez, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner, Waltman,  
Spencer, President – 7**

**Nays – 0**

Council President Spencer stated that the Storm Water Management Ordinance was tabled as the required map has not yet been submitted and completed.

**Bill No. 50–2008** – amending the City’s Code of Ordinances, Chapter 24 Taxation, Part 5 by adding a provision relating to the business privilege tax regulation’s procedure for determining manufacturing exemptions and by adding a refund claim provision. (Tax Division and Law Department) *Introduced at the July 14 meeting*

**Councilor Waltman moved, seconded by Councilor Baez, to enact Bill 50–2008.**

Acting Managing Director Hottenstein explained that this housekeeping action will provide clarification to the state statutory regulations.

**Bill 50–2008 was enacted by the following vote:**

Yeas – Baez, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner, Waltman,  
Spencer, President – 7  
Nays – 0

**Bill No. 51–2008** – Amending the 2008 Full–Time position Ordinance by reducing the number of police officers to 208 and the number of firefighters to 145. (Council Pres. Spencer) *Introduced at the July 14 meeting*

**Councilor Marmarou moved, seconded by Councilor Baez, to enact Bill 51–2008.**

Council President Spencer stated that with the enactment of this bill Council will have more control over of the hiring of public safety officers. He stated that Chief of Police Heim and Fire Chief Rehr both support the Ordinance.

Councilor Goodman–Hinnershitz thanked the Fire Chief and the Police Chief for providing positive feedback.

**Bill 51–2008 was enacted by the following vote:**

**Yeas – Baez, Goodman–Hinnershitz, Marmarou, Sterner, Spencer,  
President – 5**

**Nays – Fuhs, Waltman – 2**

**Bill No. 52–2008** – setting forth its intent to issue a series of general obligation bonds, Series E Of 2008 of the City in the aggregate principal amount not to exceed \$60 million **(Man Director)** *Introduced at the July 28 regular meeting*

**Councilor Marmarou moved, seconded by Councilor Baez, to enact Bill 52–2008.**

Acting Managing Director Hottenstein stated that Council has reviewed and discussed these transactions over the past few months. He stated that the enactment of these two ordinances and the following two resolutions will assist the City's cash flow and level off debt payments going forward.

**Bill 52–2008 was enacted by the following vote:**

**Yeas – Baez, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner, Waltman –  
6**

**Nays – Spencer President – 1**

**Bill NO 53–2008** – setting forth its intent to issue two series of general obligation notes designated as Series C Of 2008 And Series D Of 2008 of the City in the aggregate principal amount not to exceed \$60 million **(Man Director)** *Introduced at the July 28 regular meeting*

**Councilor Waltman moved, seconded by Councilor Goodman–Hinnershitz, to enact Bill 53–2008.**

Councilor Goodman–Hinnershitz requested that a summary of the documents be posted on the website to educate the public about the transaction.

**Bill 53–2008 was enacted by the following vote:**

**Yeas – Baez, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner, Waltman – 6**

**Nays – Spencer President – 1**

### **INTRODUCTION OF NEW ORDINANCES**

Council President Spencer read the following ordinances into the record.

**Ordinance** - Amending The City Of Reading Code Of Ordinances Chapter 6, Part 7, School Time Curfew, To Add A New Section Pertaining To Prohibited Conduct Of Juveniles On School Days As Attached In Exhibit A (**Police Dept**)

### **RESOLUTIONS**

**Resolution 86-2008** – authorizing the termination of a certain Interest Rate Management Agreement previously executed with respect to its general obligation notes Series of 2005; authorizing the proper officers of the city to execute and deliver any necessary documents and authorizing the taking of other necessary action in connection with the foregoing (**Man Dir**)

Councilor Marmarou moved, seconded by Councilor Goodman–Hinnershitz, to adopt Resolution 86–2008.

**Resolutin 86–2008 was adopted by the following vote:**

**Yeas – Baez, Fuhs, Goodman–Hinnershitz, Marmarou, Sterner, Waltman, – 6**

**Nays – Spencer President –1**

**Resolution 87-2008** – authorizing the execution and approving an Interest Rate Management Plan; approving the form of a certain interest rate management agreement relating to its federally-taxable general obligation variable rate demand notes Series C of 2008 and its federally-taxable general obligation variable rate demand notes Series D OF 2008 and authorizing the taking of other necessary action in connection with the foregoing (Man Dir)

Councilor Sterner moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution 87-2008.

Council President Spencer reminded all that the adoption of these two Resolutions accompany the two bond transactions enacted a few minutes ago.

Resolution 87-2008 was adopted by the following vote:

Yeas – Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, –  
6  
Nays – Spencer President –1

**Resolution 88-2008** – authorizing the hiring of Lee Niebel as a Reading Police Officer (Police Dept)

Councilor Marmarou moved, seconded by Councilor Baez, to adopt Resolution 88-2008.

Resolution 88-2008 was adopted by the following vote:

Yeas – Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman,  
Spencer President– 7  
Nays – 0

**Resolution 89-2008** – authorizing the submission of an application to seek the reimbursement of monies expended to train Officer Daniel Cedeno



**Resolution 90-2008** – authorizing the submission of an application to seek the reimbursement of monies expended to train Officer Lee Niebel

**Councilor Baez moved, seconded by Councilor Fuhs, to adopt Resolution 89-90-2008.**

Council President Spencer explained that through the adoptions of these resolutions the City will be able to apply for the reimbursement of training expenses for Officer Niebel and Officer Cedeno.

**Resolution 89-90 -008 was adopted by the following vote:**

**Yeas – Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman,  
Spencer President – 7  
Nays – 0**

### **COUNCIL COMMENT**

Councilor Fuhs announced the anti-drug march scheduled for Saturday August 16<sup>th</sup>.

Councilor Sterner congratulated those winning scholarships and thanked Trinity Lutheran Church for their work to provide these opportunities for the City residents looking to further their education.

Councilor Sterner thanked all that are currently active in community groups and crime watch organizations and their work to preserve good quality of life for all City residents.

Councilor Baez noted the upcoming block party on Hollenbach Street. She also announced the upcoming Dare to Care organization meeting.

Councilor Waltman noted the variety of problems and issues associated with the Waste Water Treatment Project required under the consent decree. He noted the need for all to monitor this project.

Councilor Marmarou thanked residents of District 4 for their vigilance in reporting community problems and illegal property uses that allows the staff to respond quickly and accordingly.

Councilor Goodman-Hinnershitz noted the severity of the fire of the Clymer Mansion. She questioned if the catastrophic fire could have been avoided if the building was properly maintained. She noted that property maintenance shortcuts can create catastrophic situations.

Council President Spencer stated that although the City is looking to trim expenses they will not be cutting corners on crime fighting. He stated that \$26 million of the \$72 million general fund budget covers police services.

**Councilor Marmarou moved, seconded by Councilor Baez, to adjourn the Regular Meeting of Council.**

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Linda Kelleher  
City Clerk



CITY OF READING,  
PENNSYLVANIA

MEMORANDUM

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**TO:** Linda Kelleher, City Clerk  
Michelle Katzenmoyer, Deputy City Clerk  
**FROM:** Ryan Hottenstein, Acting Managing Director  
**DATE:** July 21, 2008  
**SUBJECT:** Passage of a resolution authorizing the Mayor to execute a  
2008 Action Plan amendment.

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Community Development is asking City Council to approve the amendment at the **August 25, 2008** City Council meeting.

**BACKGROUND:** Approximately \$170,000 in un-programmed CDBG funding is currently available to re-program to the activity.

**BUDGETARY IMPACT:** None.

**PREVIOUS ACTION:** None

**SUBSEQUENT ACTION:** None.

**RECOMMENDED BY:** Mayor and Acting Managing Director.

**RECOMMENDED MOTION:** To amend the FFY2008 one year Action and the FFY2004 to FFY2008 five year Consolidated Plan to provide an additional \$170,000 in un-programmed CDBG funds for renovations to Hillside Playground. The new CDBG funding total will be \$285,000.

Cc: N. Nemeth  
B. Skimski  
H. Dunkle  
C. DeGroote  
C. Jones  
S. Lingle, Triad Associates



RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE COUNCIL OF THE CITY OF READING  
AUTHORIZING THE MAYOR TO EXECUTE A  
FFY2008 ONE YEAR ACTION PLAN  
AND FFY2004 TO FFY2008 FIVE YEAR CONSOLIDATED PLAN  
AMENDMENT**

**WHEREAS**, under 24 CFR Part 91, the U.S. Department of Housing and Urban Development (HUD) outlines the consolidated submissions for community planning and development programs which will serve as: (1) a planning document for the City that builds on a participatory process at the grass roots level, (2) an application for federal funds under HUD's formula grant program, (3) a strategy to be followed in carrying out HUD programs, and (4) an Action Plan that provides a basis for assessing performance;

**WHEREAS**, the FFY2004 to FFY2008 five year Consolidated Plan (30<sup>th</sup> to 34<sup>th</sup> CD years January 1, 2004 to December 31, 2008) and the FFY2008 one year Action Plan (34<sup>th</sup> CD year January 1, 2008 to December 31, 2008) have been prepared meeting HUD's requirements and providing guidance for addressing the housing and community development needs of the City;

**WHEREAS**, \$170,000 is available in CDBG funds to re-program for eligible and fundable activities.

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING THAT:**

The FFY2008 one year Action and FFY2004 to FFY2008 five year Consolidated Plans are amended to transfer an additional \$170,000 in unprogrammed CDBG funds to the existing Hillside Playground Improvements activity 459 N. 14th St. The new CDBG funding total will be \$285,000. The improvements include (but are not limited to) the installation of new safety surface, playground apparatus, site furnishings, fencing, benches, and ADA accessibility. The activity service area is composed of 68.4% low / moderate income persons. The activity's eligibility / fundability is low mod area 24CFR570.208(a)(1) / public facilities and improvements 24CFR570.201(c).

**The Mayor, on behalf of the City of Reading, is authorized and directed to execute the amendment to the satisfaction of HUD.**

**PASSED COUNCIL \_\_\_\_\_, 2008**

\_\_\_\_\_  
**PRESIDENT OF COUNCIL**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**



# AGENDA MEMO

## FINANCE DEPARTMENT

**TO:** City Council  
**FROM:** Heather Dunkle, Purchasing Coordinator  
**PREPARED BY:** Heather Dunkle, Purchasing Coordinator  
**MEETING DATE:** August 25, 2008  
**AGENDA MEMO DATE:** August 19, 2008  
**RECOMMENDED ACTION:** Awarding of Contract for the design of a new Police Firing Range for the Reading Police Department.

### RECOMMENDATION

The recommendation is to award the contract to W2A Design Group, 609 Hamilton Street, Allentown, PA 18101.

### BACKGROUND

Proposals for Design Services for the new Police Firing Range were received on July 17, 2008. The proposals were reviewed by a selection committee consisting of the Police Chief, the Sergeant of the Police Academy, a representative from Burkey Construction (construction manager on the project), and the Purchasing Coordinator which ranked each firm on a series of criteria. The selection committee conducted interviews as well. Though W2A was not the low proposal received, their evaluation and presentation/interview was more superior to the other firms. W2A has experience and knowledge in designing firing ranges.

### BUDGETARY IMPACT

The Police Department and Accounting Divisions have confirmed there are sufficient funds in budget account code 31-08-00-4216, project code 31-08-03, to cover this contract.

### PREVIOUS ACTIONS

None.

### SUBSEQUENT ACTION

Formal action by Council is needed to award the contract at the August 25, 2008 meeting.

### RECOMMENDATION

The recommendation is that City Council approve the recommendation of the Administration to employ W2A to perform the design of the firing range for the Reading Police Department.

**RECOMMENDED BY**

Mayor, Acting Managing Director, Police Chief, Director of Finance and Purchasing Coordinator.

**RECOMMENDED MOTION**

To approve/deny Administration's recommendation that W2A be retained for the design of the new firing station for the Reading Police Department.

cc: File

July 17, 2008

To the Mayor  
City Hall  
Reading, PA

**RFP FOR THE PURPOSE OF RETAINING A QUALIFIED ARCHITECTURAL FIRM  
FOR THE DESIGN OF A NEW FIRING RANGE AND SUPPORT BUILDING  
LOCATED AT FRITZ ISLAND FOR THE READING POLICE DEPARTMENT, CITY  
OF READING, PENNSYLVANIA**

Proposals were received from the following firms:

AMEC E&C Services, Inc. One Plymouth Meeting, Suite 850 Plymouth Meeting, PA 19462	\$98,200.00
Kautter & Kelley Architects 5 Belmont Avenue Wyomissing, PA 19610	\$88,150.00
Kimmel Bogrette Architecture & Site 151 East 10 <sup>th</sup> Avenue, Suite 300 Conshohocken, PA 19428	\$98,500.00
Muhlenberg Greene Architects, Ltd. 400 Washington Street, Suite 1000 Reading, PA 19601	\$88,125.00
Olsen Design Group 2345 Bernville Road Reading, Pa 19605	\$65,870.00 (a)
W2A Design Group 609 Hamilton Street Allentown, PA 18101	\$89,000.00

(a) Failed to include necessary permitting in this lump sum figure; approximately \$14,000.00.

HEATHER DUNKLE  
Purchasing Coordinator



# AGENDA MEMO

## FINANCE DEPARTMENT

**TO:** City Council  
**FROM:** Heather Dunkle, Purchasing Coordinator  
**PREPARED BY:** Heather Dunkle, Purchasing Coordinator  
**MEETING DATE:** August 25, 2008  
**AGENDA MEMO DATE:** August 19, 2008  
**RECOMMENDED ACTION:** Awarding of Contract for improvements to the Hillside Playground for the Departments of Public Works and Community Development.

### RECOMMENDATION

The recommendation is to award the contract to Bertolet Construction Corporation, 100 South Church Road, Wernersville, PA 19565, at a total submitted bid price of \$318,864.00 for various improvements to the Hillside Playground for the Departments of Public Works and Community Development. Bertolet Construction is the low bidder to meet the specifications.

### BACKGROUND

Bids for improvements at the Hillside Playground for the Departments of Public Works and Community Development were received on July 18, 2008. The bid award is based on various items which include renovations to the sites, safety surface installation and playground equipment installation.

A copy of the Schedule of Bids is attached for your review.

### BUDGETARY IMPACT

The Department of Community Development and Accounting have confirmed that funds sufficient for \$283,864.00 of this contract have been included in Account Code 32-10-00-4212, project #32-10-78 after the approval of the additional funding requested at the August 25 Council meeting. The additional \$35,000.00 is coming from Senator O'Pake and Representative Caltigerone.

### PREVIOUS ACTION

None

### SUBSEQUENT ACTION



Formal action by Council is needed to award the contract at the August 25, 2008 meeting.

**RECOMMENDED BY**

Mayor, Acting Managing Director, Acting CD Director, Directors of Finance and Public Works and Purchasing Coordinator.

**RECOMMENDED MOTION**

Approve/Deny the recommendation for the purchase of the improvements to the Hillside Playground in order that the contract may be awarded to Bertolet Construction.

cc: File

July 18, 2008

To the Mayor

**City Hall**

Reading, PA

The following bids were opened and scheduled, with a Contract to be awarded or the bids rejected.

**BID NO. 7004-08 FOR HILLSIDE PLAYGROUND IMPROVEMENTS FOR THE CITY OF READING, PENNSYLVANIA**

**BIDDER**

**TOTAL BID PRICE**

Bertolet Construction Corporation  
100 South Church Road  
Wernersville, PA 19565

\$318,864.00

Spotts Brothers Inc.  
42 Berger Street  
Schuylkill Haven, PA 17972

\$338,340.00

Doug Lamb Construction, Inc.  
1180 Zeager Road  
Elizabethtown, PA 17022

\$359,210.00

Windsor Service, Inc.  
Division of Reading Materials  
2415 Kutztown Road  
P.O. Box 13787  
Reading, PA 19612-3787

\$367,221.00

HEATHER DUNKLE  
Purchasing Coordinator

**BILL NO. \_\_\_\_\_-2008**

**AN ORDINANCE**

**AN ORDINANCE AMENDING THE CITY OF READING ZONING ORDINANCE PER EXHIBIT "A," TO CREATE, ADD AND DEFINE THE USE OF STUDENT HOME AS A CONDITIONAL USE AND REQUIREMENTS THEREFORE IN THE CITY OF READING R-1A (RESIDENTIAL), R-1 (RESIDENTIAL) AND R-2 (RESIDENTIAL) ZONING DISTRICTS AND AS A PERMITTED USE IN R-3 (RESIDENTIAL) CITY OF READING ZONING DISTRICTS**

**THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. The Zoning Ordinance of the City of Reading is amended per attached Exhibit "A," to create, add and define the use of Student Housing as a conditional use in the R-1A (RESIDENTIAL), R-1 (RESIDENTIAL) and R-2 (Residential) and as a Permitted Use In R-3 (Residential) City of Reading Zoning Districts.

SECTION 2. All property owners desiring to register their properties in R-1A (RESIDENTIAL), R-1 (RESIDENTIAL), and R-2 (Residential) City of Reading Zoning Districts as non-conforming of this Ordinance shall do so no later than sixty (60) days from adoption hereof. Said registration shall also require any property owner wishing to permit more than three (3) unrelated students to continue to reside in their properties. To obtain non-conforming status, however, under this provision (more than 3 unrelated) must be capable of proving such use was a legal rental unit that existed prior to the City's adoption of Ordinance 69-2005.

SECTION 3. All other provisions of the City of Reading Zoning Ordinance, Section 27-101 et seq. of the City of Reading Codified Ordinances shall remain unchanged and in full force and effect.

SECTION 4. Effectiveness of Ordinance. This Ordinance will become effective in accordance with Charter Section 219.

Enacted \_\_\_\_\_, 2008

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk  
(LAW DEPT.)

# **EXHIBIT A**

**The City of Reading Zoning Ordinance, Section 27-101 et seq. of the City of Reading Codified Ordinances is hereby amended and added to as follows:**

## **PART 22**

### **DEFINITIONS/SPECIFIC WORDS AND PHRASES DEFINED**

**§27-2202. General Definitions** is hereby amended to amend or add the following words, terms and definitions:

**FAMILY** - one or more persons related by blood, marriage, adoption or foster relationship *or are the great-grandparent, great-grandchild, grandparent, grandchild, parent, child, brother, sister, aunt, uncle, niece, nephew, great uncle, great aunt, great nephew, great niece, or cousin less than to the second degree*, living together as a single housekeeping unit; or a group of not more than three unrelated persons over the age of 14 years, who are living together in a single dwelling unit and maintaining a common household with a single cooking facility. A roomer, boarder or lodger shall not be considered a member of the family. Shared housing arrangements, where the individuals are permanent or temporary "roommates," do not constitute family arrangements. The term "family" shall also not include the occupants of a clubhouse, hotel, motel, *student home or student housing, fraternity house, sorority house or dormitory.*

**ROOMMATE HOUSEHOLDS** - a shared housing arrangement where at least two, and no more than three persons not related by blood, marriage, adoption or foster relationship *or are not the great-grandparent, great-grandchild, grandparent, grandchild, parent, child, brother, sister, aunt, uncle, niece, nephew, great uncle, great aunt, great nephew, great niece, or cousin more than to the second degree* of each other live together in a single dwelling unit and/or a single housekeeping unit on a permanent or temporary arrangement. Any exception to this definition in number of persons in the occupancy arrangement requires approval as a special exception review by the Zoning Hearing Board. *Said definition or arrangement shall not include a such that fall within the definition of Student Home.*

**STUDENT** - An individual who is enrolled or has made application and been accepted at a university, college or trade school and whose primary occupation is as a student or who is on a semester or summer break from studies at a college, university or trade school or any combination of such persons. The term "student" shall apply to both undergraduate and graduate students alike. The residents of a student home share living expenses and may live and cook as a single housekeeping unit but may also only share access to cooking facilities and not live and cook as a single housekeeping unit.

**STUDENT HOME** - A living arrangement for at least two (2) students to a maximum of three students (3) (as defined in this chapter) unrelated by blood, marriage or legal adoption. The term Student Home shall not include dormitories, fraternity house or sorority house. The term Student Home shall be used interchangeable with the term Student Housing.

**STUDENT HOUSING** - See Student Home.

## PART 8

### DISTRICTS

§27-801 R-1A is hereby amended to add Student Home as a special exception use as follows:

SPECIAL EXCEPTION USES:

All uses listed below shall be pursuant to §27-1202 of this Chapter

[illegible]

## PART 8

### DISTRICTS

§27-802 R-1 is hereby amended to add Student Home as a special exception use as follows:

SPECIAL EXCEPTION USES:

All uses listed below shall be pursuant to §27-1202 of this Chapter

[illegible]

## PART 8

### DISTRICTS

§27-803 R-2 is hereby amended to add Student Home as follows:

SPECIAL EXCEPTION USES:

All uses listed below shall be pursuant to §27-1202 of this Chapter

[illegible]



## PART 8

### DISTRICTS

§27-804 R-3 is hereby amended to add Student Home as follows:

PERMITTED USES:

A student home is as added as a permitted.

[illegible]

## **PART 12**

### **PROVISIONS FOR SPECIAL EXCEPTION AND CONDITIONAL USES**

**§27-1202. Conditions for Special Exception Uses** is hereby amended to add Student Home as a special exception in the R-1A, R-1 and R-2 City of Reading Zoning Districts:

27-1202(18) Student Home as defined herein shall be permitted in the City of Reading Zoning Districts R-1A and R-1 and R-2, provided that the following standards are met, all requirements therefor under this Ordinance, along with any other stipulations set forth by the Zoning Hearing Board:

A. A site plan and architectural plans, drawn to scale. These plans must show the location and dimensions of off-street parking, private entrances, walkways, the dimensions and square footage of each room and storage space and shall indicate the intended use of each room.

B. The roommate housing arrangement must meet the standards of the City of Reading building, housing and fire codes as required for residential rental properties. The owner must verify to the City of Reading on an annual basis that the building meets all of the plumbing, electrical, heating, building, fire, and similar standards set by the City and by the Commonwealth of Pennsylvania.

C. No cooking facilities of any kind shall be located in any room except the central kitchen.

D. Every bedroom shall be at least 70 square feet of floor area and there shall be no more than two occupants per bedroom.

E. No basement or cellar shall be used as a habitable bedroom except by special approval and variance.

F. No Student Home shall be located within 500 linear feet of any other lot on which is established a Student Home, except by variance, measured by the shortest distance between the two lots where the proposed student home is located (including but not limited to each existing student home use located in any district which is of a different designation than the district in which the new student home use is proposed).

G. The one-family dwelling has a floor area of at least 1,000 square feet exclusive of basements, garages and accessory buildings.

H. A student home shall not be located within 500 feet of a group home, group quarters institution, church, educational use, housing for the elderly or home for handicapped individuals. The distance between the two uses shall be measured by the shortest distance between the lot on which the proposed student home will be located and the lot

or lots which contain the existing uses.

I. A student home shall meet the area and bulk requirements for a one-family dwelling in the applicable zoning district where such use is proposed.

J. The owner of the student home, or the agent or manager of the student home, shall annually register the student home with the Codes Enforcement Division on a form provided by the City of Reading. If the owner of the student home fails to maintain a current registration of his or her student home, the Zoning Officer shall enforce such condition in accordance with **§27-201 et seq** of this chapter.

K. If the one family dwelling where the student home is proposed cannot meet the parking requirements set forth in § **§27-1603DD** herein, the Zoning Hearing Board may still authorize the special exception with the condition that the number of occupants which may reside at the student home shall be limited to the number of off-street parking spaces provided at the one family dwelling.

**PART 16**

**OFF-STREET PARKING AND LOADING**

**§27-1603. Off-Street Parking Standards** is hereby amended to add the following:

DD: Student Home –

R-1A and R-1: one space per every occupant which would be permitted to reside in the dwelling up to a maximum of three (3), plus one additional, subject to the provisions of § 27-1202(18).

R-2: one space per every occupant which would be permitted to reside in the dwelling up to a maximum of three (3), plus one additional, subject to the provisions of § 27-1202(18).

# **STORMWATER MANAGEMENT**

## **ORDINANCE**

**Schuylkill River Watershed**

**Tulpehocken Creek Watershed**

**ORDINANCE NO.**

**City of Reading, Berks County,**

**PENNSYLVANIA**

**Adopted at a Public Meeting Held on**

**\_\_\_\_\_, 2008**

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**BILL NO. \_\_\_\_\_ 2008**

**AN ORDINANCE**

**AN ORDINANCE AMENDING THE FY 2006-2012 CAPITAL IMPROVEMENT PLAN FOR THE CITY OF READING.**

**SECTION 1.** The City Council amends the FY 2006-2012 Capital Improvement Program totaling \$26,631,666.00 of debt financing which, when compared to the FY 2006-2011 approved Capital Improvements Program will reflect deletions, insertion, postponements and rescheduling of certain capital projects and establishes levels of funding for each of the four remaining plan years; and

**SECTION 2.** The proposed amendments are set forth in Exhibit A, as attached hereto and made a part hereof.

**SECTION 3.** This ordinance shall become effective ten (10) days after its adoption, in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted \_\_\_\_\_, 2008

\_\_\_\_\_  
President of Council

Attest:



---

City Clerk

# EXHIBIT A

**CITY OF READING  
CAPITAL IMPROVEMENTS PROGRAM  
FY 2006 - FY 2012**

			DEBT	EXPENDITURES			NEW
PROJECT	YEAR	PROJ. COST	FINANCING	TO DATE	BALANCE	AMENDMENT	BUDGET
<b>2006</b>							
<b>FIRE</b> REPLACE RESCUE 1	2006	\$450,000.00	\$450,000.00	\$462,441.00	(\$12,441.00)	\$12,441.00	\$462,441.00
<b>IT</b> DISASTER RECOVERY	2006	\$1,250,000.00	\$1,250,000.00	\$1,252,025.00	(\$2,025.00)	\$2,025.00	\$1,252,025.00
<b>IT</b> Uninterrupted Power Source	2006	\$67,000.00	\$67,000.00	\$16,900.00	\$50,100.00	\$0.00	\$67,000.00
<b>IT</b> PURCHASE GIS SYSTEM FOR CITYWIDE*	2006	\$3,000,000.00	\$750,000.00	\$91,779.00	\$658,221.00	(\$568,221.00)	\$181,779.00
<b>FIRE</b> BUILD OAKBROOK FIRE STATION	2006	\$1,500,000.00	\$1,500,000.00	\$428,058.00	\$1,071,942.00	\$1,200,000.00	\$2,700,000.00
<b>POLICE</b> RANGE CLASSROOM ADDITION	2006	\$52,000.00	\$52,000.00	\$0.00	\$52,000.00	\$200,000.00	\$252,000.00
<b>PW PUBLIC PROPERTY</b> CITY HALL ROOF	2006	\$100,000.00	\$100,000.00	\$7,000.00	\$93,000.00	\$0.00	\$100,000.00
<b>Penn Street Bridge Lighting Repairs</b>	2006	\$87,000.00	\$87,000.00	\$0.00	\$87,000.00	\$0.00	\$87,000.00
<b>PW HIGHWAYS</b> SALT BRINE EQUIPMENT	2006	\$50,000.00	\$50,000.00	\$33,393.00	\$16,607.00	(\$16,607.00)	\$33,393.00
<b>LIBRARY</b> NORTHWEST BRANCH REPAIRS	2007	\$60,000.00	\$60,000.00	\$17,000.00	\$43,000.00	\$0.00	\$60,000.00
<b>POLICE</b> EVIDENCE ROOM EXPANSION	2006	\$200,000.00	\$200,000.00	\$10,472.00	\$189,528.00	\$50,000.00	\$250,000.00
<b>PW PUBLIC PROPERTY</b> STADIUM HIGH MAST REPLACEMENT	2006	\$152,000.00	\$152,000.00	\$115,290.00	\$36,710.00	(\$36,710.00)	\$115,290.00
<b>PW RECREATION</b> BAER PARK PLAYGROUND RENOVATION	2006	\$100,000.00	\$50,000.00	\$3,975.00	\$46,025.00	\$0.00	\$50,000.00
<b>IT</b> AC Unit	2006	\$100,000.00	\$100,000.00	\$100,000.00	\$0.00	\$0.00	\$100,000.00
<b>TOTAL</b>		<b>\$7,168,000.00</b>	<b>\$4,868,000.00</b>	<b>\$2,538,333.00</b>	<b>\$2,329,667</b>	<b>\$842,928</b>	<b>\$5,710,928.00</b>
<b>2007</b>							
<b>FIRE</b> REPLACE ENGINE 14	2007	\$475,000.00	\$475,000.00	\$473,538.00	\$1,462.00	(\$1,462.00)	\$473,538.00
<b>POLICE</b> Downtown Camera Network	2007	\$1,785,000.00	\$390,000.00	\$91,560.00	\$298,440.00	\$0.00	\$390,000.00

<b>LIBRARY</b> MAIN BRANCH RENOVATION	2007	\$140,000.00	\$140,000.00	\$0.00	\$40,000.00	(\$100,000.00)	\$40,000.00
<b>PW RECREATION</b> CITY PARK RENOVATION	2007	\$1,050,000.00	\$1,500,000.00	\$49,504.00	\$1,450,496.00	\$0.00	\$1,500,000.00
<b>PW HIGHWAYS</b> TRASH COMPACTOR TRUCK	2007	\$120,000.00	\$120,000.00	\$103,394.00	\$16,606.00	(\$16,606.00)	\$103,394.00
<b>PW PUBLIC PROPERTY</b> BANDSHELL REHABILITATION	2007	\$80,000.00	\$80,000.00	\$45,337.00	\$34,663.00	\$0.00	\$80,000.00
<b>PW PUBLIC PROPERTY</b> Pagoda Renovations	2007	\$1,443,900.00	\$1,443,900.00	\$100,468.00	\$343,432.00	\$0.00	\$1,443,900.00
<b>PW HIGHWAYS</b> DUMP TRUCK	2007	\$110,000.00	\$110,000.00	\$64,615.00	\$45,385.00	(\$64,615.00)	\$45,385.00
<b>PW RECREATION</b> BAER PARK PLAYGROUND RENOVATION	2007	\$100,000.00	\$50,000.00	\$3,975.00	\$46,025.00	\$0.00	\$50,000.00
<b>PW RECREATION</b> Hillside Playground Renovation	2007	\$70,000.00	\$60,000.00	\$2,230.00	\$57,770.00	\$0.00	\$60,000.00
<b>PW</b> SKYLINE DRIVE WALL REPAIR	2007	\$171,500.00	\$171,500.00	\$0.00	\$171,500.00	\$0.00	\$171,500.00
<b>PW TRAFFIC ENGINEERING</b> BUCKET TRUCK	2007	\$70,000.00	\$70,000.00	\$21,740.00	\$48,260.00	(\$48,260.00)	\$21,740.00
<b>PW RECREATION</b> SCHLEGEL PARK POOL REPLASTER/TILE	2007	\$150,000.00	\$150,000.00	\$202,100.00	(\$52,100.00)	\$52,100.00	\$202,100.00
<b>PW TRAFFIC ENGINEERING</b> HANDICAP RAMPS	2007	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
<b>PW PUBLIC PROPERTY</b> 6 & PENN COURTYARD UPGRADE	2007	\$120,000.00	\$120,000.00	\$0.00	\$12,000.00	\$0.00	\$120,000.00
<b>PW PUBLIC PROPERTY</b> ATHLETIC FIELD LIGHTING	2007	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
<b>PW PARKS</b> City Park Pond Remediation & Water Feature	2007	\$230,000.00	(\$230,000.00)	\$0.00	\$0.00	(\$230,000.00)	\$0.00
<b>PW FLEET</b> GARAGE OVERHEAD LUBRICATION SYSTEM	2007	\$114,666.00	\$114,666.00	\$0.00	\$114,666.00	\$0.00	\$114,666.00
<b>TOTAL</b>		\$6,330,066.00	\$4,665,066.00	\$1,158,461	\$2,628,605	(\$508,843)	\$4,816,223.00

<b>2008</b>							
<b>FIRE</b> BUILD PENN STREET FIRE STATION	2008	\$2,500,000.00	\$2,500,000.00	\$0.00	\$2,500,000.00	(\$2,500,000.00)	\$0.00
<b>PW PUBLIC PROPERTY</b> STADIUM FIELD LIGHTING UPGRADES	2007	\$60,000.00	\$60,000.00	\$0.00	\$60,000.00	\$0.00	\$60,000.00
<b>PW PUBLIC PROPERTY</b> STADIUM HIGH MAST PAINTING	2007	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	\$0.00	\$50,000.00
<b>PW PUBLIC PROPERTY</b> CITY HALL BRASS RESTORATION	2007	\$75,000.00	\$75,000.00	\$0.00	\$75,000.00	(\$75,000.00)	\$0.00

<b>CD OUTDOOR FURNISHINGS</b>	2007	\$60,000.00	\$60,000.00	\$0.00	\$60,000.00	(\$60,000.00)	\$0.00
<b>PW RECREATION</b> 3rd & SPRING PLAYGROUND RENOVATION	2008	\$160,000.00	(\$80,000.00)	\$0.00	\$0.00	(\$80,000.00)	\$0.00
<b>PW RECREATION</b> BAER PARK FIELD HOUSE RENOVATION	2008	\$100,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
IT Hardware	2008	\$126,000.00	\$126,000.00	\$0.00	\$126,000.00	\$0.00	\$126,000.00
<b>PW RECREATION</b> Angelica Nature Center	2008	\$1,000,000.00	\$1,000,000.00	\$0.00	\$1,000,000.00	\$0.00	\$1,000,000.00
IT Software	2008	\$365,000.00	\$365,000.00	\$0.00	\$365,000.00	\$0.00	\$365,000.00
<b>HR SECURITY</b> City Hall	2008	\$30,600.00	\$30,600.00	\$0.00	\$30,600.00	(\$30,600.00)	\$0.00
<b>PLANNING</b> Green Roof for City Hall	2008	\$336,000.00	\$336,000.00	\$0.00	\$336,000.00	(\$336,000.00)	\$0.00
<b>PW PARKS</b> Duryea Drive Guard Rails	2009	\$230,000.00	\$230,000.00	\$0.00	\$230,000.00	\$0.00	\$230,000.00
<b>COUNCIL MULTIMEDIA UPGRADE</b> Council Chambers	2008	\$250,000.00	\$250,000.00	\$0.00	\$250,000.00	(\$250,000.00)	\$0.00
<b>TOTAL</b>		\$5,342,600.00	\$4,952,600.00	\$0.00	\$5,082,600.00	(\$3,381,600.00)	\$1,831,000.00

<b>2009</b>							
<b>PW HIGHWAYS</b> FRONT END LOADER	2008	\$175,000.00	\$175,000.00	\$0.00	\$175,000.00	\$0.00	\$175,000.00
<b>PW HIGHWAYS</b> STREET SWEEPERS	2007	\$300,000.00	\$300,000.00	\$0.00	\$300,000.00	\$0.00	\$300,000.00
<b>PW FLEET</b> BIG TRUCK LIFT	2008	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	(\$50,000.00)	\$0.00
<b>PW TRAFFIC ENGINEERING</b> HANDICAP RAMPS	2007	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
<b>FIRE</b> BUILD NEW HAMPDEN/MARION FIRE STATION	2009	\$2,500,000.00	\$2,500,000.00	\$0.00	\$2,500,000.00	(\$2,500,000.00)	\$0.00
<b>PW RECREATION</b> NORTHMONT PLAYGROUND RENOVATION	2009	\$160,000.00	(\$80,000.00)	\$0.00	\$0.00	(\$80,000.00)	\$0.00
<b>MAYORS OFFCIE</b> First Energy Stadium Repair	2009	\$26,000,000.00	\$1,300,000.00	\$0.00	\$1,300,000.00	\$0.00	\$1,300,000.00
<b>PW STREETS</b> Bridge Repair	2009	\$450,000.00	\$450,000.00	\$0.00	\$450,000.00	\$0.00	\$450,000.00
<b>PW PARKS</b> City Hall Improvements	2009	\$250,000.00	\$250,000.00	\$0.00	\$250,000.00	(\$250,000.00)	\$0.00
<b>TOTAL</b>		\$29,935,000.00	\$4,895,000.00	\$0	\$5,025,000	(\$2,930,000)	\$2,225,000.00

<b>2010</b>							
<b>CED</b> African American Museum <b>Site Preparation</b>	2007	\$6,170,000.00	\$500,000.00	\$0.00	\$500,000.00	\$0.00	\$500,000.00
<b>LIBRARY</b> SOUTHEAST BRANCH REPAIRS	2008	\$70,000.00	\$70,000.00	\$0.00	\$70,000.00	\$0.00	\$70,000.00
<b>CED</b> ALLEY AND ROW IMPROVEMENTS	2008	\$250,000.00	\$200,000.00	\$0.00	\$200,000.00	(\$200,000.00)	\$0.00

PW PUBLIC PROPERTY ATHLETIC FACILITIES LIGHTING	2008	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	(\$50,000.00)	\$0.00
PW TRAFFIC ENGINEERING HANDICAP RAMPS	2008	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
PW PARKS FRONT END LOADER	2009	\$120,000.00	\$120,000.00	\$0.00	\$120,000.00	(\$120,000.00)	\$0.00
PW HIGHWAYS STREET SWEEPERS	2009	\$300,000.00	\$300,000.00	\$0.00	\$300,000.00	(\$300,000.00)	\$0.00
LIBRARY MAIN BRANCH EXPANSION	2010	\$8,000,000.00	\$2,000,000.00	\$0.00	\$2,000,000.00	(\$2,000,000.00)	\$0.00
PW RECREATION KEFFER PARK FIELD HOUSE RENOVATION	2008	\$100,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
IT Hansen Dynamic Portal	2008	\$286,000.00	\$286,000.00	\$0.00	\$286,000.00	\$0.00	\$286,000.00
<b>TOTAL</b>		<b>\$15,396,000.00</b>	<b>\$3,426,000.00</b>	<b>\$0</b>	<b>\$3,526,000</b>	<b>(\$2,770,000)</b>	<b>\$856,000.00</b>

<b>2011</b>							
PW HIGHWAYS STREET SWEEPERS	2010	\$300,000.00	\$300,000.00	\$0.00	\$300,000.00	(\$300,000.00)	\$0.00
PW PARKS GROUNDMASTER TRACTOR	2010	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	\$0.00	\$50,000.00
LIBRARY New NW Branch	2011	\$1,800,000.00	\$1,800,000.00	\$0.00	\$1,800,000.00	(\$1,800,000.00)	\$0.00
PW PUBLIC PROPERTY ATHLETIC FACILITIES LIGHTING	2010	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	(\$50,000.00)	\$0.00
LIBRARY NORTHEAST BRANCH REPAIRS	2009	\$70,000.00	\$70,000.00	\$0.00	\$70,000.00	\$0.00	\$70,000.00
PW TRAFFIC ENGINEERING HANDICAP RAMPS	2008	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
PW TRAFFIC ENGINEERING HANDICAP RAMPS	2008	\$50,000.00	(\$50,000.00)	\$0.00	\$0.00	(\$50,000.00)	\$0.00
CD/PLANNING Whitewater Park	2007	\$522,810.00	\$525,000.00	\$0.00	\$525,000.00	(\$525,000.00)	\$0.00
PW RECREATION PENDORA PARK FIELD HOUSE RENOVATION	2008	\$200,000.00	(\$100,000.00)	\$0.00	\$0.00	(\$100,000.00)	\$0.00
LIBRARY BOOK MOBILE REPLACEMENT	2010	\$120,000.00	\$120,000.00	\$0.00	\$120,000.00	(\$120,000.00)	\$0.00
CED ALLEY AND ROW IMPROVEMENTS	2009	\$250,000.00	\$250,000.00	\$0.00	\$250,000.00	(\$250,000.00)	\$0.00
CED ALLEY AND ROW IMPROVEMENTS	2010	\$250,000.00	\$250,000.00	\$0.00	\$250,000.00	(\$250,000.00)	\$0.00
PW PUBLIC PROPERTY STADIUM FIELD LIGHTING UPGRADES	2010	\$60,000.00	\$60,000.00	\$0.00	\$60,000.00	\$0.00	\$60,000.00
<b>TOTAL</b>		<b>\$3,772,810.00</b>	<b>\$3,275,000.00</b>	<b>\$0</b>	<b>\$3,475,000</b>	<b>(\$3,495,000)</b>	<b>\$180,000.00</b>

<b>Total CIP</b>		<b>\$67,944,476.00</b>	<b>\$26,081,666.00</b>	<b>\$3,696,794</b>	<b>\$22,066,872</b>	<b>(\$12,242,515)</b>	<b>#####</b>
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Notes:

1. The stadium high mast replacement project is proposed to remain unscheduled until final determination of whether to renovate or re-locate Municipal Stadium is made.
2. Although street paving is budgeted every year, the magnitude of the effort is beyond the City's financial capacity, thus proposing State and Federal funding. The project could be debt financed, but the life of a road is less than 10 years making it a poor candidate for such funding.

**BILL NO. \_\_\_\_\_-2008**

**A N O R D I N A N C E**

**AMENDING CHAPTER 11 HOUSING - RENTAL OF  
THE CITY OF READING CODIFIED ORDINANCES**

**THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1:** Chapter 11 entitled Housing - Rental is amended as follows:

**SECTION 11-102 DEFINITIONS is hereby amended to added the following terms and definition:**

**STUDENT** - An individual who is enrolled or has made application and been accepted at a university, college or trade school and whose primary occupation is as a student or who is on a semester or summer break from studies at a college, university or trade school or any combination of such persons. The term "student" shall apply to both undergraduate and graduate students alike. The residents of a student home share living expenses and may live and cook as a single housekeeping unit but may also only share access to cooking facilities and not live and cook as a single housekeeping unit.

**STUDENT HOME** - A living arrangement for at least two (2) students to a maximum of three students (3) (as defined in this chapter) unrelated by blood, marriage or legal adoption. The term Student Home shall not include dormitories, fraternity house or sorority house. The term Student Home shall be used interchangeable with the term Student Housing.

**STUDENT HOUSING** - See Student Home.

Section 104 Application for Permit Subsection 14 (§11-104(14)) of the Codified Ordinances is hereby deleted. The remaining subsections of Section 104 are renumbered accordingly, 11-104(15) is now 11-104(14), 11-104(16) is now 11-104(15) and 11-104(17) is now 11-104(16).

**SECTION 11-118 TENANT INFORMATION is hereby amended so that Paragraph 1 of said Section shall read in its entirety as follows:**

In addition to supplying information of the tenants of the dwelling unit or rooming unit on the initial or renewal application for a Rental Permit, the owner or the local responsible agent shall on or before March 1 and August 1 of each year shall provide to the City of Reading Codes Enforcement Division on a form prepared and provided by said Division information of all tenants or other persons, including children under 18 years of age, occupying the dwelling unit or rooming room for which they are required to have a Rental Permit the full name, unit, floor or apartment number / designation and term of lease, date of entry and anticipated departure date. *Landlord shall further indicate on said form if the dwelling unit or rooming unit is Student Housing and if said tenants are Students.*

Section 124 Disruptive Conduct Subsection C Eviction (§11-124(C)) is amended to read in its entirety as follows:

After ~~three (3)~~ two (2) disruptive conduct incidents in any 12-month period by an the occupant documented by disruptive conduct reports, the owner or local responsible agent shall have ten (10) working days from the date of his/her receiving the notice to begin eviction proceedings against the occupants. *The owner or local responsible agent shall diligently pursue the eviction of the occupants as required herein. Diligent pursuit of the eviction of said occupants shall include but not be limited to prosecution of the eviction proceeding, participation with follow through any appeal and obtain possession of the property.* This paragraph is not intended to limit or inhibit the owner or local responsible agent's right to initiate eviction actions prior to the second disruptive conduct incident.

Section 124 Disruptive Conduct Subsection G Report Against All Occupants (§11-124(G)) shall be amended to read in its entirety as follows:

The content of the disruptive conduct report shall count against all occupants of the rental unit. The content of the disruptive conduct report shall not count against all occupants of the rental unit if the complaint is initiated by one of the rental unit occupants. *More than one disruptive conduct report filed against the occupants of a rental unit in a 24-hour period shall count as a single disruptive conduct report for the purpose of the preceding paragraph.*



Section 124 Disruptive Conduct Subsection (H) Maintenance of List of Evicted Occupants (§11-124(H)) shall be renamed and amended to read in its entirety as follows:

***H. MAINTENANCE OF LIST OF DISRUPTIVE CONDUCT  
REPORT TENANTS AND OCCUPANTS AND EVICTED  
OCCUPANTS***

***The Codes Enforcement Office shall maintain a list of the names of all occupants and tenants against whom a Disruptive Conduct Report is issued as a result of this Ordinance. The Codes Enforcement Division shall also maintain a list of all occupants and tenants evicted as a result of this Ordinance. The names shall remain on the list for a period of five (5) years.***

Section 125 Housing Board of Appeals Subsection (A) Appeals (§11-125(A)) shall be amended to read in its entirety as follows:

Any person aggrieved by any decision of a police officer or public officer in regard to a disruptive conduct report or the suspension, nonrenewal, denial or revocation of a Rental Permit, may appeal to the Housing Board of Appeals. Such appeal must be filed, in writing ***with the Manager of the Codes Enforcement Division***, with the appropriate filing fee within ten (10) working days from the date of receipt of the disruptive conduct report or notice of revocation.

Section 125 Housing Board of Appeals Subsection (C) Powers (§11-125(C)) is hereby amended to add a new paragraph 6 to read as follows and renumber the existing paragraph 6 to paragraph 7:

**6. OATHS AND SUBPOENAS.**

The Board shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.

Section 125 Housing Board of Appeals Subsection (E) Affect of Appeals (§11-125(E)) shall be amended to read in its entirety as follows:

**E. AFFECT OF APPEALS**

Any decision or order issued under, per and in accord with this Chapter shall be held in abeyance upon the timely filing of an appeal thereof with the Housing Board of Appeals ~~or an appeal of a decision thereof to the Court of Common Pleas of Berks County.~~ Said abeyance shall include but not be limited to revocation, suspension, denial or nonrenewal of a Rental Permit until the appeal is resolved. An appeal of the ~~third~~ two disruptive conduct report within a twelve (12) month period shall stop the eviction proceedings against the occupants until the appeal is resolved, only if the eviction proceedings were a direct result of the third disruptive conduct report.

Section 125 Housing Board of Appeals Subsection (F) Enforcement Upon Resolution of Appeal of Housing Board (§11-125(F)) shall be amended to read in its entirety as follows:

**F. ENFORCEMENT UPON RESOLUTION OF APPEAL OF HOUSING BOARD**

If this appeal is of a ~~third~~ second disruptive conduct report and the decision of the police officer or public officer has been affirmed, ~~and no appeal is pending, within ten (10) working days after the expiration of the time for filing an appeal has expired and time for compliance as required by the decision of the Housing Board of Appeals or Court of Common Pleas,~~ the public officer shall reinspect to determine compliance as to whether the occupant has voluntarily moved from the premises or the owner has initiated eviction proceedings.

If, when so required by a ~~third~~ second disruptive conduct report, the occupant has not voluntarily moved or the owner has not initiated eviction proceedings, ~~and there is no appeal pending, the time for filing an appeal and for compliance as required by the decision of the Board has expired,~~ the public officer shall institute revocation of the rental permit per the provisions set forth in this Chapter.

Section 125 Housing Board of Appeals Subsection (G) Fee (§11-125(G)) shall be renamed and amended to read in its entirety as follows:

**G. FEE AND COSTS**

The fee for filing of an Appeal to the Housing Board of Appeals shall be \$75. Failure to submit the appropriate fee with the request for an appeal shall result in automatic denial of the appeal. *In addition to said fee, the Appellant shall be responsible for all costs incurred to conduct a hearing beyond that covered by the fee.*

Section 126 Appeal to Court of Common Pleas (§11-126) shall be amended to read in its entirety as follows:

**§11-126 APPEAL TO COURT OF COMMON PLEAS**

Any person, including the police officer or public officer for the City, aggrieved by any decision of the *Housing Board of Appeals*, may appeal to the Court of Common Pleas of Berks County. Such appeal shall be made by a duly verified petition in accord with the Pennsylvania Rules of Civil Procedure and shall set forth the factual and legal basis upon which the decision of the Board is alleged to be incorrect or illegal, in whole or in part. Said petition shall be filed with the Court of Common Pleas *within thirty (30) days after service of the decision. Notice of the appeal shall be served upon all parties to the appeal before the Housing Board of Appeals, including the Board and City of Reading, at the time of its filing. An appeal to the Court of Common Pleas of a decision of the Housing Board of Appeals shall not hold automatically stay enforcement of the Board's decision.*

**SECTION 2:** *All references to three or third disruptive conduct report(s) throughout the Ordinance shall be amended to refer to second disruptive conduct report.*

**SECTION 3:** *Part 2 Landlord Tenant Reports all parts thereunder including but not limited to Section 11-201 of the Housing Ordinance, particularly that existing prior to adoption of the current Housing-Rental Ordinance in July 2007 is deleted and removed from the Housing-Rental Ordinance and permitting processing. In lieu of said provision information received by the Codes Office on*

*the Tenant Listing required herein shall be available to the Tax Office upon their request.*

**SECTION 4:** *Part 3 Waiver of Fees all parts thereunder including but not limited to Section 11-301 of the Housing Ordinance, particularly that existing prior to adoption of the current Housing-Rental Ordinance in July 2007 is renumbered to Part 2 Waiver of Fees and Section 11-201. Said amended which provide for addition and/or renumbering of this section so that it now reads as follows:*

## **PART 2 WAIVER OF FEES**

### **§11-201. Waiver of Fees.**

1. Certain nonprofit agencies are unique in the City because they:
  - A. Provide owner occupied housing.
  - B. Create taxable projects.
  - C. Offer 0% mortgage to the homeowner of a project.
  - D. Have an all-volunteer labor pool.
  - E. Create homeownership opportunities for low income families who perform sweat equity on the rehabilitation or construction of their homes.
2. The fees payable to the City for the rehabilitation or construction of single family residences in Reading, by organizations meeting the above criteria be waived and that the said waiver shall not pertain to City, County or School taxes which may become due and payable on these properties during or subsequent to the construction period.
3. Request for waiving the fees shall be submitted to and approved by the City prior to commencing the project(s).

**SECTION 5:** All relevant ordinances, regulations, remaining sections of Chapter 11 Housing – Rental Ordinance and policies of the City of Reading, Pennsylvania not amended hereby shall remain in full force and effect.

**SECTION 6:** If any section, subsection, sentence or clause of this ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

**SECTION 7:** This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

Enacted \_\_\_\_\_, 2008

\_\_\_\_\_  
Council President

Attest:

\_\_\_\_\_  
City Clerk

(LAW)

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

**BILL NO. \_\_\_\_\_ 2008**  
**AN ORDINANCE**

**AN ORDINANCE AMENDING THE CITY OF READING CODE OF ORDINANCES CHAPTER 6, PART 7, SCHOOL TIME CURFEW, TO ADD A NEW SECTION PERTAINING TO PROHIBITED CONDUCT OF JUVENILES ON SCHOOL DAYS AND TO ADD THIS NEW SECTION TO THE ENFORCEMENT PROCEDURE, AS ATTACHED IN EXHIBIT A.**

**Whereas**, the City of Reading has an obligation to provide for the protection of juveniles from each other and other persons; for the protection of the general public; and for the reduction of the incidents of criminal activity.

**Whereas**, loitering around school buildings creates safety hazards for students, City residents and visitors; and

**Whereas**, the City of Reading City Council enacts this legislation to further prohibit juveniles from loitering in the vicinity of school buildings to protect students, residents and visitors against crime and undue annoyance.

**NOW THEREFORE, THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1.** Amending the City of Reading Codified Ordinances Chapter 6, Conduct, Part 7, School Time Curfew, to protect the public safety, health and welfare of all in our community as attached in Exhibit A.

**SECTION 2.** This Ordinance will become effective in ten (10) days when approved in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted by Council \_\_\_\_\_, 2008

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

*(Police Department & Council Staff)*

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_



## **EXHIBIT A**

## **PART 76**

### **SCHOOL TIME CURFEW**

#### **§6-701. Background.**

The City of Reading and community have legitimate concerns regarding the refusal or failure of juveniles to attend school as required by the Compulsory Attendance Statute of the Commonwealth, with evidence that juveniles who refuse to attend school are more likely to not complete elementary or secondary education and are more likely to engage in misconduct injurious to themselves or other persons or property.

*(Ord. 13-2001, 6/11/2001, §1)*

#### **§6-702. Purpose.**

The City of Reading has an obligation to provide for the protection of juveniles from each other and from other persons, for the enforcement of parental responsibility for acts of their children, for the protection of the general public, and for the reduction of the incidents of juvenile criminal activity. The City also desires to promote the safety and good order of the community by encouraging parental responsibility and helping to eradicate or minimize the occurrences of rowdiness, vandalism, harassment, graffiti, theft, drug dealing, drug use, and other behaviors of juveniles as well as the harm done by juveniles to the community.

*(Ord. 13-2001, 6/11/2001, §2)*

#### **§6-703. Definitions.**

**ESTABLISHMENT** - any privately owned place of business operated for a profit to which the public is invited including, but not limited to, any place of amusement or entertainment.

**GUARDIAN** - a person who, under court order, is the guardian of a juvenile, or a public or private agency with which a juvenile has been placed by a court of competent jurisdiction.

**HOMESCHOOL** - applies to children legally authorized to participate in a Home Education Program conducted in compliance with §1327.1 of the Public School Code.

*(Ord. 13-2001, 6/11/2001, §3)*

**JUVENILE** - any unmarried person over 7 years of age and under 17 years of age or a person over 17 years of age and less than 18 years of age who is enrolled in or subject to compulsory education.

**LOITERING** - remaining idle in essentially one location or lingering or standing around without purpose either alone or in consort with others.

**OPERATOR** - any individual, firm, association, partnership, corporation, or other entity, operating, managing or conducting any establishment. The term "operator" includes the members, owner or partners of an association, partnership or other similar entity and the officers of a corporation.

**PARENT** - a person who is the birth parent, step-parent or adoptive parent of a juvenile. As used herein, "parent" shall also include a court-appointed guardian or other

person, 18 years of age or older, authorized by the parent, a court order, or by the court-appointed guardian to have the care and custody of the juvenile.

**PUBLIC PLACE** - any location to which the public or a substantial group of the public has access and includes, but is not limited to streets, sidewalks, the common areas of schools, parks, hospitals, apartment houses, office buildings, transport facilities, shopping centers, malls and other such common areas.

**REMAIN** - to fail to immediately leave specific premises when requested to do so by a police officer or the owner, operator or other person in control of the premises.

**SCHOOL** - any public, private; denominational, charter or parochial education institution that is licensed, or exempt from licensing, by the Commonwealth of Pennsylvania or any other state or government, including any alternative program of study, including a homeschool, or workstudy offered by such an institution and any degree granting institution of higher education as prescribed in the regulations of the Board of Education.

#### **§6-704. Unlawful Activity.**

1. It shall be unlawful for any juvenile who is subject to compulsory education to loiter, wander, or be in or upon the public street, road, alley, park, playground or other public place, or the premises of any establishment, vacant lot or any unsupervised place in the City of Reading from 8:30 a.m. through ~~2:30~~ **3:10 p.m.** on any day for which the school, at which such juvenile is enrolled, is in session, subject to §6-705.

2. It shall be unlawful for any juvenile who is subject to compulsory continuing/ alternative education to loiter, wander or be in or upon a public street, road, alley, park, playground, or other public place or the premises of any establishment, vacant lot or any unsupervised place in the City of Reading from 8:30 a.m. through ~~2:30~~ **3:10 p.m.** p.m. on any day for which the school at which such juvenile is enrolled is in session, subject to §6-705.

3. It shall be unlawful for the parent(s) or guardian (s) of any juvenile to knowingly permit or allow the juvenile to remain in, loiter, wander, or be in or upon the public street, road, alley, park, playground or other public place or the premises of any establishment, vacant lot or any unsupervised place from 8:30 a.m. through ~~2:30~~ **3:10 p.m.** p.m. on any day for which the school, at which such juvenile is enrolled, is in session, subject to §6-705.

4. No operator of an establishment or the agents or employees thereof shall knowingly permit any juvenile to remain in or about any public place or any establishment between the hours of 8:30 a.m. and ~~2:30~~ **3:10 p.m.** p.m. during any day on which the school in which the juvenile is enrolled is in session.

(Ord. 13-2001, 6/11/2001, §4)

***5. It shall be unlawful for any juvenile to loiter within 1,000 feet of any grade school building from 8:00 a.m. through 3:30 p.m. on any day in which the school is in session, subject to §6-705 A - I.***

#### **§6-705. Defenses.**

It is a defense to prosecution under this Part:

- A. That the juvenile is accompanied by his or her parent(s), guardian(s), or other adult(s) who has the care or custody of the juvenile.
  - B. That the juvenile is on an emergency errand (without any detour or stop) directed by his or her parent(s), guardians) or other adult(s) who has the care or custody of the juvenile.
  - C. That the juvenile is going to or coming directly from, without detour or stop, with permission, his or her place of school or approved employment, which includes vocational training.
  - D. That the juvenile is going to or coming directly from a medical appointment or an emergency.
  - E. That the juvenile has permission to leave the school campus for lunch or a school-related activity or has possession of a valid school-issued off-campus permit.
  - F. That the juvenile is going to or coming from a continuing/alternative education activity.
  - G. That the juvenile is attending an official school, religious or other recreational activity supervised by adults or sponsored by the City of Reading or other governmental entity, a civic organization, or another similar entity that takes responsibility for the juvenile and that the parent(s) or guardian (s) has given permission for the student to attend such activity.
  - H. That the juvenile is going to or returning from, without any detour or stop, of the foregoing in subsection (G).
  - I. That the juvenile is going to or coming from any government-sponsored activity.
  - J. That the compulsory education or continuing/alternative education to which the juvenile is subject is not in session.
- (Ord. 13-2001, 6/11/2001, §5)

#### **§6-706. Enforcement Procedure.**

1. Upon a juvenile's failure to comply with §6-704 (1) (2) *or* (5) of this Part, a police officer shall issue a citation to the juvenile and transport the juvenile home or to the school from which the juvenile is absent. If cited, the juvenile and parent(s) or guardian(s) shall appear in district justice court. The parent(s) or guardian(s) shall be forwarded a copy of the citation of the juvenile, and said citation will be mailed via certified mail, return receipt requested, and will include a warning that the parent(s) is (are) responsible and liable as the juvenile's parent(s). Any and all records of such citations shall be maintained in the City's database. Each violation shall constitute a separate offense.
2. If the parent(s) or guardian(s) has (have) been warned pursuant to subsection (1) hereof, then the officer may issue a citation to the parent(s) or guardian(s) for every subsequent violation of this Part. Each violation shall constitute a separate offense.
3. Once a citation is issued, pursuant to subsection (2) hereof, each and every subsequent violation of this Part is cause for an officer to issue a citation to the parent(s) or guardian(s) of the juvenile.
4. If any operator of an establishment or any agents or employees of any operator fail to comply with the provisions of this Part, a police officer shall issue a citation for said

violation. Each violation shall constitute a separate offense.  
(*Ord. 13-2001, 6/11/2001, §6*)

**§6-707. Penalties.**

1. Any juvenile, parent(s) or guardian(s), individual(s), or operator(s) convicted of violating any Section of this Part shall be subject to the following:

A. **First Offense.** \$ 50.00, plus costs and performance of restorative or community service to be assigned by the Superintendent of Schools and/or school principal.

B. **Second Offense.** \$100.00, plus costs and performance of restorative or community service to be assigned by the Superintendent of Schools and principal.

2. Any juvenile, parent(s) or guardian(s), individual(s) or operator(s) convicted of violating any Section of this Part for a third and every subsequent offense, may be subject to a fine not less than \$300.00 or more than \$1,000.00, plus costs and performance of community service as set forth in subsection (1).

3. Any community service required will not exceed 40 hours in a month and will be completed within 30 days from the date of the violation; community service imposed on a juvenile will not be completed by the juvenile during his or her hours of school attendance or related employment

(*Ord. 13-2001, 6/11/2001, §7*)

**§6-708. Delegation.**

Appropriate City officials, including members of the Police Department, authorized members of the Reading School District, including truancy enforcement and school safety officers, Children Youth Service employees and juvenile probation officers are authorized and directed to take such actions as are necessary to effectuate this Part.

(*Ord. 13-2001, 6/11/2001, §8*)

**BILL NO. \_\_\_\_\_-2008**

**AN ORDINANCE**

**AN ORDINANCE AMENDING THE CITY OF READING ZONING ORDINANCE PER EXHIBIT "A," TO AMEND THE DEFINITIONS OF LIFE CARE RETIREMENT FACILITY AND NURSING HOME, TO PROVIDE THE USE OF LIFE CARE RETIREMENT FACILITY AND NURSING HOME AS A SPECIAL EXCEPTION AND REQUIREMENTS THEREFOR IN THE CITY OF READING R-2 (RESIDENTIAL), R-3 (RESIDENTIAL) AND C-R (COMMERCIAL RESIDENTIAL) ZONING DISTRICTS AND TO CORRECT THE REQUIREMENTS OF RESIDENTIAL CARE FACILITY AS A CONDITIONAL USE**

**THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. The Zoning Ordinance of the City of Reading is amended per attached Exhibit "A," to amend the definition of Life Care Retirement Facility and Nursing Home, to provide for the use of Life Care Retirement Facility and Nursing Home as a Special Exception and requirements therefor in the City of Reading R-2 (Residential), R-3 (Residential) and C-R (Commercial Residential) zoning districts and to correct the requirements of Residential Care Facility as a Conditional Use

SECTION 2. All other provisions of the City of Reading Zoning Ordinance, Section 27-101 et seq. of the City of Reading Codified Ordinances shall remain unchanged and in full force and effect.

SECTION 3. Effectiveness of Ordinance. This Ordinance will become effective in accordance with Charter Section 219.

Enacted \_\_\_\_\_, 2008

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk  
(LAW)

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

# **EXHIBIT A**



The City of Reading Zoning Ordinance, Section 27-101 et seq. of the City of Reading Codified Ordinances is hereby amended and added to as follows:

## **PART 22**

### **DEFINITIONS/SPECIFIC WORDS AND PHRASES DEFINED**

**§27-2202. General Definitions** is hereby amended to amend or add the following words, terms and definitions:

**LIFE CARE RETIREMENT FACILITY** - a planned residential community, building or part thereof for persons of retirement age, which shall include residential dwelling units, with communal dining, recreation areas, open space, parking and related facilities. Includes "retirement homes," "assisted or independent living facilities," "personal care home" and similar uses. Excludes "residential care facilities."

**NURSING HOME** - a building or part thereof used for the lodging, boarding and nursing care, on a 24-hour basis, of four or more persons. The term "Nursing Home" shall include nursing and convalescent homes, skilled nursing facilities, intermediate care facilities, infirmaries contained within homes for the aged and personal care home. Excludes "residential care facilities."

## PART 8

### DISTRICTS

§27-804 R-3 is hereby amended to add Life Care Retirement Facility and Nursing Home as special exception uses as follows:

SPECIAL EXCEPTION USES:

All uses listed below shall be pursuant to §27-1202 of this Chapter

[illegible]

PART 8  
DISTRICTS

§27-808 C-R is hereby amended to add Life Care Retirement Facility and Nursing Home as special exception uses as follows:

SPECIAL EXCEPTION USES:

All uses listed below shall be pursuant to §27-1202 of this Chapter

Minimum Lot Size	Maximum Building Coverage	Maximum Lot Coverage	Maximum Height	Minimum Lot Width	Front Yard Setback	Rear Yard Setback	Side Yard Setback	Combined Side Yard Setback	Required Site Plan Review
2500	75%	85%	35	40	15	20	8	16	Yes

**PART 12**  
**PROVISIONS FOR SPECIAL EXCEPTION AND CONDITIONAL USES**

§27-1202. Conditions for Special Exception Uses is hereby amended to add Life Care Retirement Facility and Nursing Home as special exception uses in the R-2, R-3 and C-R City of Reading Zoning Districts:

27-1202(19) Life Care Retirement Facility and Nursing Home as defined herein shall be permitted as special exceptions in the City of Reading Zoning Districts R-2, R-3 and C-R, provided that the following standards are met, all requirements therefor under this Ordinance, along with any other stipulations set forth by the Zoning Hearing Board:

A. A site plan and architectural plans, drawn to scale. These plans must show the location and dimensions of off-street parking, private entrances, walkways, the dimensions and square footage of each room and storage space and shall indicate the intended use of each room.

B. The Life Care Retirement Facility and Nursing Home must meet the standards of the City of Reading building, plumbing, mechanical, electrical and fire codes as required for the type of use. The owner must verify to the City of Reading on an annual basis that the building meets all of the plumbing, electrical, heating, building, fire, and similar standards set by the City and by the Commonwealth of Pennsylvania.

C. Every bedroom shall be at least 70 square feet of floor area and there shall be no more than two occupants per bedroom.

E. No basement or cellar shall be used as a habitable bedroom except by special approval and variance.

F. No Life Care Retirement Facility and Nursing Home shall be located within 500 linear feet of any other lot on which is established a Life Care Retirement Facility and Nursing Home or Residential Care Facility, except by variance, measured by the shortest distance between the two lots where the proposed life care retirement facility and nursing home is located (including but not limited to each existing life care retirement facility and nursing home or residential care facility use located in any district which is of a different designation than the district in which the new life care retirement facility and nursing home use is proposed).

G. One off-street parking space shall be provided per employee computed on the basis of the estimated maximum number of employees at any one time, plus one space for every three patient / client beds.

**§27-1202. Conditions for Conditional Uses** is hereby amended as follows:

**7. Residential Care Facility.** Residential care facilities, which shall include group care facilities and group care institutions, may be permitted in the R-3 zoning district as a ~~special exception~~ conditional use, provided that the following standards are met along with any other requirements deemed necessary by ~~the Zoning Hearing Board~~ City Council. Group care facilities shall be permitted in the R-2 and C-R zoning districts by ~~special exception~~ conditional use.

A. The following standards shall be for all residential care facilities:

(1) A site plan and architectural plans, drawn to scale, shall be submitted. These plans shall show the location and dimensions of off-street parking, private entrances, walkways, landscaping, the dimensions and square footage of each room and storage space and shall indicate the intended use of each room.

(2) No residential care facility shall be located within 800 feet of another group care facility, group institution, school, day care home, or day care center.

(3) One off-street parking space shall be provided per employee computed on the basis of the estimated maximum number of employees at any one time, plus one space for each four patient/client beds.

(4) The premises at which the residential care facility is located shall be owned or leased by the social service agency sponsoring the group care facility.

(5) The sponsoring social service agency shall document to the Zoning Administrator that all building, fire, plumbing, heating, electrical and similar systems meet the standards set by the City and by the Commonwealth of Pennsylvania.

B. The following standards are for all group care facilities:

(1) Group care facilities, by design and intent, shall provide for the temporary needs of transient residents.

(2) No group care facility shall have more than 10 residents at any given time, not including live in supervisors.

(3) The only physical changes to the dwelling shall be those required by law. When the use is abandoned, any subsequent use shall conform to permitted uses in that zoning district.

(4) No more than two live-in supervisors shall reside in the group care facility.

(5) Although live-in supervision is not required, the sponsoring social service agency shall document to the Board that the agency shall provide the residents of the group care facility with the physical safety and the

emotional support they require. Because residents of a group care facility are likely to be suffering from personal crises, some form of immediate contact with a counselor should be available at all hours. Likewise, immediate contact with sponsoring social service agency should be available to members of the public who may be in need of the services of the group care facility.

~~(6)~~ C. The following standards are for all group care institutions.

~~(7)~~ 1.) The group institution, by design and intent, shall provide for the long term needs of its residents and shall not accommodate the needs of transient individuals.

~~(8)~~ 2.) A licensed physician, psychologist, counselor or social worker in the employ of or under contract to the social service agency shall be responsible for the assignment of residents to the group institution.

~~(9)~~ 3.) At least one supervisor shall be on call during all hours during which any resident of the group institution is on the premises.

~~(10)~~ 4.) The dwelling unit shall not be altered in any manner that would change the original dwelling unit character of the group institution.

## **PART 16**

### **OFF-STREET PARKING AND LOADING**

**§27-1603. Off-Street Parking Standards** is hereby amended to add the following:

EE: Life Care Retirement Facility and Nursing Home – One off-street parking space shall be provided per employee computed on the basis of the estimated maximum number of employees at any one time, plus one space for every three patient / client beds.

BILL NO. \_\_\_\_\_-2008

AN ORDINANCE

AMENDING CHAPTER 11 HOUSING - RENTAL OF  
THE CITY OF READING CODIFIED ORDINANCES

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

**SECTION 1:** Chapter 11 entitled Housing - Rental is amended as follows:

**§11-105 RENEWAL OF RENTAL PERMIT**

It shall be the responsibility of the owner of the dwelling unit or rooming unit to request and submit an application for renewal of a Rental Permit. The owner of every dwelling unit or rooming unit must renew his/her Rental Permit for each such dwelling unit or rooming unit each year by the first of December. An application for renewal of Rental Permit with the requisite fees may be submitted between October 1 and November 30 of each year. All renewal applications received after the first of December of each year shall be subject to revocation of the Rental Permit and/or doubling of the fee set forth herein. In addition, failure to pay / renew a Rental Permit by February 1 of each year will result in submission of the bill and account for a Rental Permit to collections for recovery. To renew a Rental Permit the owner must complete the application on the form prepared and provided by the Codes Enforcement Division and pay the applicable fee. Except as set forth in this Ordinance, ~~on a three-year basis,~~ *under Renewal Inspection*, renewal of a Rental Permit is not subject to an inspection. An application for renewal of a Rental Permit may be denied resulting in nonrenewal of the permit as set forth herein. Failure of the owner to renew a permit will be considered a surrendering and revocation of the Rental Permit and will require vacation of all occupants / tenants of the dwelling unit or rooming. To obtain a Rental Permit after its surrender and revocation, the owner will have to submit a new initial application and undergo the requirements thereof. Any waiver of such requirements is at the discretion of the Codes Enforcement Division Manager or his/her designee.

## **§11-109 INSPECTION**

### **A. INITIAL APPLICATION<sup>1</sup>**

Upon receipt of a fully completed application for an initial rental permit for a dwelling unit or rooming unit and receipt of payment of the applicable fee for rental permit, the Codes Enforcement Division shall within ten (10) days of said receipt schedule an exterior and interior inspection of the dwelling unit or rooming unit to be performed no later than thirty (30) days from said receipt to determine if the dwelling unit or rooming unit is compliant with the applicable City of Reading Codes and Codified Ordinances. If the Codes Enforcement Official performing the inspection determines that the dwelling unit or rooming unit complies with the applicable City of Reading Codes and Codified Ordinances, the Official shall so advise the owner and inform them that they may obtain their Rental Permit from the City of Reading Codes Enforcement Division. In the event the Code Official determines that the dwelling unit or rooming unit is in violation of the applicable City of Reading Codes and Codified Ordinances, the Codes Enforcement Division shall be instructed not to issue the Rental Permit. Additionally, the Code Official shall issue a Notice of Violation as provided for in the appropriate Code. Further, if the violation is not corrected within the time frame established on the Notice of Violation, the Code Official shall commence the appropriate legal proceedings as permitted by the applicable Code. The owner shall notify the Codes Enforcement Division of correction, remediation and/or abatement of the violation. Within ten (10) days of receipt of said notification from the owner, the Codes Enforcement Division shall schedule a reinspection of the dwelling unit or rooming unit to determine if the violations set forth in the Notice of Violation have been remedied, corrected and/or abated. If the Codes Official determines that the violations have been remedied, corrected and/or abated in accordance with the applicable City of Reading Codes and Codified Ordinances, the Code Official shall so advise the owner and Codes Enforcement Division and in so doing authorize issuance of the Rental Permit. Occupancy of the dwelling unit or rooming unit is prohibited until a Rental Permit is issued.

### **B. ~~THREE YEAR~~ RENEWAL INSPECTIONS**

---

<sup>1</sup> If a dwelling unit or rooming unit has undergone an inspection within the last ~~three (3)~~ five (5) years pursuant to the City of Reading Property Maintenance Code, they are not due for an inspection per said requirements, there are no outstanding issues from such inspection and permits for said dwelling unit were obtained therefor without the necessity of commencement of legal action by the City of Reading, said dwelling units and rooming will not be required to undergo an inspection for receipt of a Rental Permit for the 2007 – 2008 renewal permit. Said dwelling units or rooming units will be placed within their appropriate rotating renewal ~~three (3) year~~ inspection group and will be required to undergo an inspection at said time for renewal of a Rental Permit in that year rather it be the first or second and not the third renewal under this Ordinance.



An inspection of the dwelling unit or rooming unit shall be performed ~~every~~ not less than every three (3) years nor more than every five (5) years.

Upon receipt of a fully completed application for a renewal Rental Permit, as provided for herein, not less than three (3) years nor more than five (5) years from application for and issuance of the initial Rental Permit for a dwelling unit or rooming unit and receipt of payment of the applicable fee for rental permit, the Codes Enforcement Division shall within ten (10) days of said receipt schedule an exterior and interior inspection of the dwelling unit or rooming unit to be performed no later than thirty (30) days from said receipt to determine if the dwelling unit or rooming unit is compliant with the applicable City of Reading Codes and Codified Ordinances. If the Codes Enforcement Official performing the inspection determines that the dwelling unit or rooming unit complies with the applicable City of Reading Codes and Codified Ordinances, the Official shall so advise the owner and inform them that they may obtain their Rental Permit from the City of Reading Codes Enforcement Division. In the event the Code Official determines that the dwelling unit or rooming unit is in violation of the applicable City of Reading Codes and Codified Ordinances, the Codes Enforcement Division shall be instructed not to issue the Rental Permit. Additionally, the Code Official shall issue a Notice of Violation as provided for in the appropriate Code. Further, if the violation is not corrected within the time frame established on the Notice of Violation, the Code Official shall commence the appropriate legal proceedings as permitted by the applicable Code. In addition, should the Code Official find violations s/he shall also order the owner to vacate the dwelling unit or rooming unit as operation thereof is prohibited without a Rental Permit. The property shall remain vacated until the Codes Official determine that the violations have remedied, corrected and/or abated. The owner shall notify the Codes Enforcement Division of correction, remediation and/or abatement of the violation. Within ten (10) days of receipt of said notification from the owner, the Codes Enforcement Division shall schedule a reinspection of the dwelling unit or rooming unit to determine if the violations set forth in the Notice of Violation have been remedied, corrected and/or abated. If the Codes Official determines that the violations have been remedied, corrected and/or abated in accordance with the applicable City of Reading Codes and Codified Ordinances, the Code Official shall so advise the owner and Codes Enforcement Division and in so doing authorize issuance of the Rental Permit.

## **F. FAILURE TO APPEAR FOR INSPECTION**

If the owner or his/her local responsible agent cannot be available at the proposed time, said owner or representative shall provide no less than twenty-four (24) hour written notice to the Codes Enforcement Division. Upon failure to give such written notice or upon failure to gain entry, an administrative fee of Fifty Dollars (\$ 50.00) will be assessed against the owner or representative of the owner failing to supply written notice or appear. For each rescheduling beyond the second rescheduling an administrative fee of One Hundred Dollars (\$100.00) shall be assessed in all cases. Failure to pay administrative fees shall at the discretion of the Code Official constitute a violation of this Code or the City of Reading Property Maintenance Code. Failure of an owner or his/her local responsible agent to appear for an inspection as part of an initial application or ~~three-year~~ *renewal* inspection as required to obtain a Rental Permit and the time necessary to reschedule an inspection shall extend the time provided the City of Reading to schedule an inspection per said requirements and make a determination on an application. Additionally, failure of an owner or his/her local responsible agent to appear for a scheduled inspection shall be considered probable cause for obtaining a search warrant to inspect the premises.

## **§11-110 PERMIT**

Upon compliance by the owner of the dwelling unit or rooming unit of the requirements of this Chapter, the City of Reading Codes Enforcement Division shall issue a Permit thereto in a form on paper under the letterhead of the City of Reading Codes Enforcement Division prepared thereby which shall include but not be limited to the following:

1. Name, mailing address and telephone number of owner.
2. Name, mailing address and telephone numbers, business and cell of local responsible agent.
3. Number of occupants / tenants permitted to occupy said dwelling unit or rooming unit as authorized by the City of Reading Codified Ordinances, including but not limited to the Zoning Ordinance and Property Maintenance Code.
4. Date of last application inspection, e.g., initial or ~~three-year~~ *renewal*.

5. A place for date and initials of Code Official indicating performance of a routine or complaint inspection and whether or not violations were found.
6. Date of issuance of permit.
7. Date of required renewal of permit.
8. Printed name of person issuing permit.

## **§ 11-116 FEES FOR RENTAL PERMIT**

### **A. FEE SCHEDULE**

Fees required for application of Rental Permit shall be:

1. PERMIT
  - a. Single rented dwelling unit \$50 per year
  - b. Each single room (rooming unit) \$25 per year

#### **2. REINSPECTION**

The initial and first subsequent inspection upon an application for either an initial or ~~three-year~~ renewal shall be included in the Permit Fee. A fee in the amount of \$ 25 shall be charged for any second or subsequent inspection required for approval of an initial or three year renewal application.

## **§11-120 DENIAL OR NONRENEWAL OF A RENTAL PERMIT FOR FAILURE TO COMPLY WITH APPLICATION, CHAPTER AND/OR FAILURE TO PASS INSPECTION**

### **B. BASIS FOR DENIAL OR NONRENEWAL UNDER THIS SUBCHAPTER**

1. A Rental Permit shall be denied and/or nonrenewed upon failure of the owner to comply with the application requirements set forth in this Chapter.
2. An application for an initial or renewed permit shall also be denied upon proof of failure of owner or local responsible agent to comply with the requirements of this Chapter including but not

limited to the posting requirements, submission of tenant listing, fail to appear for more than one (1) schedule inspection, failure to appear for a scheduled court hearing and non compliance with owner's duties.

3. A Rental Permit shall not be issued or renewed upon the failure of dwelling unit or rooming unit to pass an initial or a ~~three-year~~ renewal inspection as required by subsection 11-109(A) and (B) of this Chapter.

4. A Rental Permit shall not be issued or renewed to any applicant if said rental unit, building or dwelling is not in compliance with the City of Reading Codified Ordinances, including but not limited International / City of Reading Building Code, Existing Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code, and Residential Code, Property Maintenance Code, Solid Waste and Recycling Ordinance, Health Code and Zoning Ordinance, or has failed an inspection, is in pending litigation for violations of the aforesaid Codified Ordinances or has been declared unfit for human habitation and/or condemned by appropriate authority with jurisdiction or an owner or his/her local responsible agent fails to appear in court for a hearing regarding a violation of the aforesaid Codes of the City of Reading.

#### **~~B.~~ C. NOTICE**

Notification of the decision to deny or not renew an application for an initial or renewal of a Rental Permit shall be issued by the Codes Enforcement Division Manager or his/her designee within fifteen (15) working days of receipt of the application. The notification shall specify the reason for denial or refusal or renew an application for a Rental Permit citing the requirement therefor. Said notice shall be in accord with the requirements therefor of this Chapter.

#### **~~C.~~ D. RIGHT TO CURE**

At the discretion of the Codes Enforcement Manager or his/her designee notification of the denial or nonrenewal of a Rental Permit may provide the owner an opportunity to cure the basis for the denial or nonrenewal. If said opportunity is provided, the notification must specify the time period provided for curing of the basis for the denial or refusal to renew a Rental Permit. Upon failure of the owner or local responsible agent to cure the basis for the denial within the time period given, the decision of the Codes Enforcement Division Manager of his/her designee to deny or not

renew a Rental Permit shall stand and the sole recourse shall be an appeal. Nothing in this section is to be interpreted to override the requirements and right to resolve failure to pass inspection as required above as part of the initial and ~~three-year~~ renewal inspection process.

#### **~~D.~~ E. APPEAL**

The denial of an initial or renewal application for a Rental Permit for the reasons set forth above may be appealed to the Housing Board of Appeals by submission of such a request with payment of the appropriate fee made in writing to the Manager of the Codes Enforcement Division within ten (10) days of receipt of notification of such denial.

### **§11-121 SUSPENSION OR REVOCATION OF RENTAL PERMIT**

#### **C. EFFECT OF SUSPENSION**

Upon the commencement of suspension or revocation, the dwelling unit or rooming unit shall be secured by the owner, and no person, firm, or corporation shall operate or rent/lease to another for residential occupancy any dwelling unit or rooming unit during such time that the rental license for such unit is suspended or revoked. The transfer of the ownership of a rental property by an owner to an entity in which such owner holds an ownership or equity interest will not void the existing ~~accumulated points~~ violations relating to such rental property or void any existing suspension or revocation relating to such rental property.

#### **E. REINSTATEMENT OF RENTAL PERMIT**

The rental unit involved shall not have its Rental Permit reinstated until the reinstatement fee is paid and the disruptive occupants have been evicted, the Housing Board of Appeals has ruled in the occupant's favor, the Housing Board of Appeals has ruled in the owner's favor but has not ordered the eviction of the occupant(s), or the occupants have filed an appeal to a higher court thereby preventing their eviction. Notwithstanding this subsection, if there are ~~points~~ violations assessed against the owner per the provisions of this Ordinance which require suspension or revocation, a Rental Permit shall not be reinstated until compliance with the requirements therefor have occurred.

### **SECTION 2: The Addendum to the Rental Agreement in Chapter 11 entitled**

Housing - Rental is amended as follows:

### **ADDENDUM TO RENTAL AGREEMENT**

This Addendum to Rental Agreement is made this day of \_\_\_\_\_, 20\_\_\_\_ and is incorporated into and shall be deemed to amend and supplement the Rental Agreement made by the undersigned Tenant and Landlord, their heirs, successors and assigns, dated \_\_\_\_\_. The Rental Agreement and this Addendum pertain to the premises described in said agreement and located at \_\_\_\_\_.

This Addendum is required by the Certification of Rental Units Ordinance of the City of Reading.

### **ADDITIONAL COVENANTS AND OBLIGATIONS**

In addition to the covenants and obligations set forth in the aforementioned Rental Agreement, Tenant and Landlord hereby covenant and agree as follows:

#### **A. Landlord's Covenants and Obligations:**

1. Landlord shall keep and maintain the leased premises in compliance with all applicable Codes and Ordinances of the City of Reading and all applicable state laws and shall keep the leased premises in good and safe condition.

2. The local responsible agent for the leased premises shall be as follows:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

3. The Landlord shall be responsible for regularly performing all routine maintenance, including lawn mowing and ice and snow removal, and for making any and all necessary repairs in and around the leased premises, except for any specific tasks which the parties hereby agree shall be delegated to the Tenant and which are identified as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. The Landlord shall promptly respond to reasonable complaints and inquiries from the Tenant.

5. The Landlord shall comply with all applicable provisions of the Landlord/Tenant Act of the Commonwealth of Pennsylvania.

**B. Tenant's Covenants and Obligations:**

1. Tenant shall comply with all applicable Codes and Ordinances of the City of Reading and all applicable state laws.

2. Tenant agrees that the maximum number of persons permitted within the regulated rental unit at any time ~~shall be five~~ and the maximum number of persons permitted within the common areas of the leased premises at any time shall be ~~five~~ in accordance with the habitability requirements and occupancy limits provided for in the International Building Code as adopted by the City of Reading, International Existing Building Code as adopted by the City of Reading, International Fire Code as adopted by the City of Reading, International Residential Code as adopted by the City of Reading, City of Reading Property Maintenance Code, and City of Reading Zoning Ordinance..

3. Tenant shall dispose of all rubbish, garbage and other waste from the leased premises in a clean and safe manner and shall separate and place for collection all recyclable materials in compliance with the City of Reading's Solid Waste and Recycling Ordinances.

4. Tenant shall not engage in any conduct on the leased premises which is declared illegal under the Pennsylvania Crimes Code or Liquor Code, or the Controlled Substance, Drug, Device and Cosmetic Act, nor shall Tenant permit others on the premises to engage in such conduct.

5. Tenant shall use and occupy the leased premises so as not to disturb the peaceful enjoyment of adjacent or nearby premises by others.

6. Tenant shall not cause, nor permit nor tolerate to be caused, damage to the leased premises, except for ordinary wear and tear.

7. Tenant shall not engage in, nor tolerate nor permit others on the leased premises to engage in "disruptive conduct" which is defined as "any form of conduct, action, incident or behavior perpetrated, caused or permitted by any occupant or visitor of a rental unit that is so loud, untimely (as to hour of the day), offensive, riotous or that otherwise disturbs other persons of reasonable sensibility in their peaceful enjoyment of their premises or causes damage to said premises, such that a report is made to a Police Officer and/or a Public Officer complaining of such conduct, action, incident, or

behavior. It is not necessary that such conduct, action, incident or behavior constitute a criminal offense, nor that criminal charges be filed against any person in order for said person to have perpetrated, caused or permitted the commission of disruptive conduct as defined herein. Provided, however, that no disruptive conduct shall be deemed to have occurred unless a Public Officer or a Police Officer shall investigate and make a determination that such did occur, and keep written records, including a Disruptive Conduct Report of such occurrence. The tenant and the owner, operator, responsible agent or manager shall be notified of any such occurrences in writing."

8. Tenant acknowledges and agrees that this tenancy is subject to the provisions of the Codified Ordinances of the City of Reading including but not limited to the Housing Ordinance/ Code, the Health Code, the Property Maintenance Code and the Solid Waste and Recycling Ordinances, and that the issuance by a Public Officer or Police Officer of the City of Reading of three disruptive conduct reports in any 12-month period relating to the leased premises shall constitute a breach of the rental agreement of which this addendum is a part. Upon such breach, Landlord shall have the right and option to pursue any and all of the following remedies:

- a. Termination of the rental agreement without prior notice; and
- b. Bring an action to recover possession of the leased premises without abatement of rents paid, including reasonable attorney's fees and costs; and
- c. Bring an action to recover the whole balance of the rent and charges due for the unexpired lease term, including reasonable attorney's fees and costs; and
- d. Bring an action for damages caused by Tenant's breach, including reasonable attorney's fees and costs.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
TENANT

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
TENANT

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
TENANT

**SECTION 3:** All relevant ordinances, regulations, remaining sections of Chapter



11 Housing – Rental Ordinance and policies of the City of Reading, Pennsylvania not amended hereby shall remain in full force and effect.

**SECTION 4:** If any section, subsection, sentence or clause of this ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

**SECTION 5:** This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

Enacted \_\_\_\_\_, 2008

\_\_\_\_\_  
Council President

Attest:

\_\_\_\_\_  
City Clerk  
(LAW)

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

**BILL N O. \_\_\_\_\_-2008**

**A N O R D I N A N C E**

**AN ORDINANCE CREATING A COMMITTEE TO ASSIST, GUIDE AND PARTICIPATE IN THE AMENDING, REVISING AND REWRITING OF THE CITY OF READING ZONING ORDINANCE, SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (SALDO) AND OFFICIAL MAP**

**THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. A Committee is hereby formed to assist, guide and participate in the amending, revising and rewriting of the City of Reading Zoning Ordinance, Subdivision and Land Development Ordinance (SALDO) and Official Map.

Said committee shall consist of the following:

Two (2) representatives of the City of Reading City Council,

Two (2) representatives of the City of Reading Zoning Hearing Board,

Two (2) representatives of the City of Reading Planning Commission,

One (1) realtor whom either resides in the City of Reading, has a significant business interest in the City of Reading or a principal office in the City of Reading, and

One (1) attorney whom practice emphasizes in municipal law / solicitor work not employed or contracted with the City of Reading which either resides in the City of Reading, has a significant business interest in the City of Reading or a principal office in the City of Reading.

Representatives of City Council, Zoning Hearing Board and Planning Commission shall be appointed by their respective council, board or commission. Such council, boards or commission may appoint an alternate should one (1) of the appointed persons shall be unable to attend. The other members shall be appointed by the City of Reading City Council.

The City of Reading Engineer, Planner, Zoning Administrator, and Solicitor or their designee shall serve the Committee in an advisory non voting status.

All aforesaid persons shall work with the Consultant retained by the City of

Reading, Urban Research and Development Corporation in developing, drafting, amending, and similar matters of the City of Reading Zoning Ordinance, Subdivision and Land Development Ordinance (SALDO) and Official Map.

The Committee shall act in an advisory capacity by providing guidance including undertaking of votes on issues as to direction of the City of Reading Zoning Ordinance, Subdivision and Land Development Ordinance (SALDO) and Official Map. It is anticipated that the Committee shall be meet on a regular monthly basis until completion of the draft City of Reading Zoning Ordinance, Subdivision and Land Development Ordinance (SALDO) and Official Map. The Committee shall be disbanded and this Ordinance repealed three (3) months after adoption of the City of Reading Zoning Ordinance, Subdivision and Land Development Ordinance (SALDO) and Official Map.

Adoption of any revision to the City of Reading Zoning Ordinance, Subdivision and Land Development Ordinance (SALDO) and Official Map shall be in accordance with the Pennsylvania Municipalities Planning Code 53 P.S. §10101 et seq and the City of Reading Codified Ordinances.

SECTION 2. Effectiveness of Ordinance. This Ordinance will become effective in accordance with Charter Section 219.

Enacted \_\_\_\_\_, 2008

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk  
(LAW)

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

R E S O L U T I O N NO. \_\_\_\_\_

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS  
FOLLOWS:

That Alicia Snead is appointed to the Human Relations Commission,  
with a term ending August 25, 2012.

Adopted by Council \_\_\_\_\_, 2008

\_\_\_\_\_  
Vice President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk

RESOLUTION NO. \_\_\_\_\_

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

Denying the appeal of the Certificate of Appropriateness, as attached in the findings of fact, for the installation of tile on the porch floor of 1042 North 5<sup>th</sup> Street, Rafael Pena, owner.

Adopted by Council \_\_\_\_\_, 2008

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Vaughn D. Spencer  
President of Council

Attest:

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Linda A. Kelleher, City Clerk

## **Appeal of Historic Architectural Review Board Certificate of Appropriateness**

IN THE MATTER OF	§	BEFORE THE
	§	
BERKS COUNTY	§	CITY OF READING
	§	
RAFAEL PENA	§	CITY COUNCIL
	§	
1042 NORTH 5 <sup>TH</sup> STREET	§	

### **FINDINGS OF FACT, CONCLUSIONS OF LAW, ORDER, AND AGREED RESOLUTION**

On Wednesday, August 13, 2008 the City of Reading City Council (Council) met to hear testimony on the appeal of the decision made by the Historic Architectural Review Board (HARB) on the Certificate of Appropriateness for the installation of ceramic tile on the front porch floor of 1042 North 5<sup>th</sup> Street, owned by Rafael Pena (Respondent). At their June 17, 2008 meeting, HARB unanimously denied the issuance of a certificate of appropriateness that would allow the installation of ceramic tile flooring on the front porch and approved the re-installation of tongue and groove wood decking at the first floor front porch as a replacement of material in kind.

#### **Findings of Fact**

1. The Historic Architectural Review Board (HARB) is an under the City of Reading Codified Ordinances Chapter 4 Part 1 – Historic Districts. The HARB is a board of 7 duly qualified members.
2. The Respondent came to the Historic Preservation Specialist to apply for a permit for the project to install ceramic tile flooring on the front porch and was advised that the project must be approved by HARB at their monthly business meeting.
3. To prepare the HARB agenda, the Historic Preservation Specialist visited 1042 North 5<sup>th</sup> Street to take photographs and found the installation of ceramic tile flooring was partially completed and a Stop Work Order was promptly issued.
4. The Respondent appeared at the June 17, 2008 HARB meeting and requested that the Board issue a Certificate of Appropriateness to allow the installation of ceramic tile on the front porch floor of 1042 North 5<sup>th</sup> Street.

5. The Respondent, after learning that his request for a certificate of appropriateness was denied, requested an appeal hearing before City Council.
6. The City Solicitor administered the oath to the Respondent and the Historic Preservation Specialist.
7. City Council took testimony from the Respondent and the Historic Preservation Specialist at the hearing held on Wednesday, August 13, 2008. The Respondent agreed to allow Councilor Baez to assist with translation.
8. The Respondent apologized for failing to obtain a permit before the project was approved. He stated that after speaking with the Historic Preservation Officer, he decided to take a chance and begin the project over a holiday weekend. He expressed the belief that as other porches have ceramic tile flooring, his request should be approved.
9. When responding to a question, the Respondent stated that he was aware of the need to obtain a permit before beginning the project. He also stated that he was not told by his Real Estate Agent from Call First that the property was located in a Historic District. He stated that he invested approximately \$400 in this project.
10. The Historic Preservation Specialist stated that HARB has never approved the use of ceramic tile on porch floors in the City's Historic District; however, they did approve the installation of mosaic tile on the skirting of a porch at one property. Photographs of the property taken by the Historic Preservation Specialist were circulated to the members of Council.
11. In response to a question, the Historic Preservation Specialist stated that the aluminum siding on the front façade was installed before the area became a historic district.
12. City Solicitor Younger entered the agenda, with all attachments, as Exhibit 1.

### **Conclusions of Law**

City Council, after considering all testimony, and reviewing all Exhibits, finds that the project does not meet the Guidelines for historic preservation adopted by the Secretary of the Interior and finds that as HARB has not approved the installation of ceramic tile on the front porch of other properties located within the historic district, the decision of HARB should be upheld.

### **Order and Agreed Resolution**

The City of Reading City Council hereby denies the appeal to the Certificate of Appropriateness, agreeing with the decision of the Historical Architectural Review Board and requiring the property owner, Rafael Pena, to remove the ceramic tile from the front porch at 1042 North 5<sup>th</sup> Street and replace it with tongue and groove wood decking, as material in kind. City Council further orders that this project be completed within 60 days from the date of this order, Monday, August 25, 2008.

**Right to Appeal**

If you disagree with the decision of City Council you may file an appeal with the Court of Common Pleas of Berks County within 30 days after notice of the decision has been made. Your failure to file the appeal within such 30 days shall preclude an appeal from such decision.



**TO:** City Council  
**PREPARED BY:** Charles M. Jones, P.E., Public Works Director  
**MEETING DATE:** June 9, 2008  
**AGENDA MEMO DATE:** June 4, 2008

**REQUESTED ACTION:** To authorize the administration to enter into a professional services agreement with Hill International/Weston Solutions/Hazen and Sawyer for project management, construction management, and related services for the City of Reading Wastewater Treatment Plant Upgrades Project.

### **RECOMMENDATION**

Authorize the administration to negotiate and execute a professional services agreement with Hill International/Weston Solutions/Hazen and Sawyer of One Penn Square West, 30 South 15<sup>th</sup> Street, Suite 1300, Philadelphia, PA 19102 for project management, construction management, and related services for the Wastewater Treatment Plant Upgrades Project for a maximum not to exceed price of \$7,825,075. The issuance of an Advanced Notice to Proceed is also recommended so that project management and financial planning services can begin immediately since the design work by Black & Veatch has already begun.

### **BACKGROUND**

The Consent Decree executed among the United States of America Department of Justice, the United States Environmental Protection Agency, the Commonwealth of Pennsylvania Department of Environmental Protection, and the City of Reading describes various improvements to be completed to the wastewater treatment plant, sanitary sewer collection system, and associated systems and programs. A new wastewater treatment plant must be substantially complete by October, 2012.

Five different proposals were received in response to the Request for Proposals for project management and construction management services. Two of the five submitting firms were eliminated based on proposal review. The remaining three firms were requested to appear for an interview. One of the three firms was eliminated based on the interview. Additional information was requested of the remaining two firms. One firm was eliminated based on review of the written supplemental information. The remaining firm, Hill International/Weston Solutions/Hazen and Sawyer was asked to appear to discuss financial planning services throughout the project. Additional information was received describing financial planning services and a price for those services. The selection committee comprised of two City employees (technical), two City employees (non-technical), and two officials from outside of the City (City of Philadelphia and Borough of State College) reviewed the technical proposals, conducted a telephone conference to discuss the technical proposals and open the price proposals, interviewed three firms, compiled questions for the final two firms, and reviewed the responses of the final two firms. It is the opinion of the selection committee that Hill International/Weston Solutions/Hazen and Sawyer was responsive, submitted proposals that were within the requirements listed in the Request for Proposals, has a clear understanding of the project and the rigid timelines listed in the Consent Decree, and submitted the lowest price for the requested services.

**BUDGETARY IMPACT**

The proposal includes a not to exceed fee of \$7,825,075. Sewer Capital Funds are available for the design services relating to the Wastewater Treatment Plant Upgrades Project. The following is a summary of the price proposal:

Project Management Services	\$2,319,926
Construction Management Services	\$6,758,340
Reduction if awarded both services above	\$1,388,191
Financial Planning Services	\$ 135,000
<b>TOTAL NOT TO EXCEED FEE</b>	<b>\$7,825,075</b>

**PREVIOUS ACTION**

Council approved the Consent Decree on October 25, 2004. The Consent Decree describes the required improvements at the wastewater treatment plant. The design contract was awarded to Black & Veatch on March 24, 2008.

**SUBSEQUENT ACTION**

Additional contracts will follow for the construction of the wastewater treatment plant improvements will follow. The award of construction contracts will occur during 2009.

**REVIEWED BY**

The Mayor, Acting Managing Director, Directors of Finance and Public Works, Utilities Division Manager, and Purchasing Coordinator.

**RECOMMENDED MOTION**

Approve/Deny authorization for the Administration to negotiate and execute a professional services agreement with Hill International/Weston Solutions/Hazen and Sawyer for project management, construction management, and related services for the Wastewater Treatment Plant Upgrades Project at a maximum not to exceed fee of \$7,825,075. Approve/Deny authorization for the issuance of an Advanced Notice to Proceed so that management of the design process which has already begun and financial planning services can commence at once.

April 15, 2008

To the Mayor  
City Hall  
Reading, PA

**RFP FOR THE PURPOSE OF RETAINING A QUALIFIED FIRM TO  
PERFORM CONSTRUCTION MANAGEMENT SERVICES AND PROJECT  
MANAGEMENT SERVICES IN CONNECTION WITH PROJECTS AND  
ACTIONS ASSOCIATED WITH THE CITY OF READING WASTEWATER  
TREATMENT PLANT PROJECT FOR THE CITY OF READING,  
PENNSYLVANIA**

Proposals for construction management services were received from the following firms:

Camp Dresser & McKee Inc.  
205 Granite Run Drive  
Suite 350  
Lancaster, PA 17601

Gannett Fleming  
P.O. Box 67100  
Harrisburg, PA 17106

Hill International, Inc.  
One Penn Square West  
30 South 15<sup>th</sup> Street  
Suite 1300  
Philadelphia, PA 19102

Johnson, Mirmiran & Thompson  
220 St. Charles Way, Suite 200  
York, PA 17402

MWH  
335 Phoenixville Pike  
Malvern, PA 19355

Proposals for project management services were received from the following firms:

Camp Dresser & McKee Inc.  
205 Granite Run Drive  
Suite 350  
Lancaster, PA 17601

Gannett Fleming  
P.O. Box 67100

Harrisburg, PA 17106

Hill International, Inc.  
One Penn Square West  
30 South 15<sup>th</sup> Street  
Suite 1300  
Philadelphia, PA 19102

Johnson, Mirmiran & Thompson  
220 St. Charles Way, Suite 200  
York, PA 17402

MWH  
335 Phoenixville Pike  
Malvern, PA 19355

HEATHER DUNKLE  
Purchasing Coordinator

**RESOLUTION NO. \_\_\_\_\_**

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:-

The Mayor is authorized to negotiate and execute a contract with Hill International/Weston Solutions/Hazen and Sawyer, for the project management, construction management, and related services for the City of Reading Wastewater Treatment Plant Upgrade Project, at a not to exceed fee of \$7,825,075.00.

The Administration is authorized to issue an Advance Notice to Proceed to Hill International/Weston Solutions/Hazen and Sawyer to allow work to begin while the final contract is being assembled and executed.

ADOPTED BY COUNCIL \_\_\_\_\_ 2008

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CITY CLERK